

# HOUSE JOURNAL

OF THE

THIRTY-FIRST SESSION.

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

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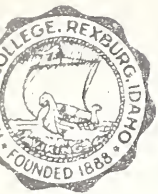
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## MEMBERS OF THE HOUSE.

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### *First District.*

Aquilla Nebeker,	Laketown, Rich County.
Joseph Monson,	Richmond, Cache County.

### *Second District.*

D. C. Hubbard,	Willard, Box Elder County.
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### *Third District.*

Joseph Stanford,	Ogden, Weber County.
A. J. Warner,	Ogden, Weber County.

### *Fourth District.*

David McKay,	Huntsville, Weber County.
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### *Fifth District.*

Orlando W. Powers,	Salt Lake City.
Curtis P. Mason,	Salt Lake City.
Clarence E. Allen,	Salt Lake City.
Morris K. Parsons,	Salt Lake City.
S. G. Pigman,	Salt Lake City.
Charles S. Varian,	Salt Lake City.

### *Sixth District.*

David Stoker,	Bountiful, Davis County.
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### *Seventh District.*

Ira D. Wines,	Lehi, Utah County.
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*Eighth District.*

Septimus W. Sears,

Salt Lake City.

*Ninth District.*

Charles R. McBride,

Tooele, Tooele County.

*Tenth District.*

Albion B. Emery,

Park City, Summit County.

*Eleventh District.*

\*Alexander Robertson,

Springville, Utah County.

*Twelfth District.*

John Moore,

Spanish Fork, Utah County.

*Thirteenth District.*

Jacob Johnson,

Spring City, Sanpete County.

*Fourteenth District.*

Abram C. Hatch,

Heber, Wasatch County.

*Fifteenth District.*

William H. Clark,

Richfield, Sevier County.

*Sixteenth District.*

J. F. Tolton,

Beaver, Beaver County.

*Seventeenth District.*

Anthony W. Ivins,

St. George, Washington County.

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\*Mr. Robertson was succeeded by Hon. H. M. Dougall, Jan'y 22d, 1894.

## OFFICERS OF THE HOUSE.

- ALBION B. EMERY, *Speaker,*  
Park City, Summit County.
- CHARLES E. STANTON, *Chief Clerk,*  
Salt Lake City, Salt Lake County.
- JOHN D. SPENCER, *Minute Clerk,*  
Salt Lake City, Salt Lake County.
- F. J. HENDERSHOT, *Engrossing and Enrolling Clerk,*  
Ogden, Weber County.
- FRED W. DENNIS, *Docket Clerk,*  
Salt Lake City, Salt Lake County.
- H. C. SNYDER, *Sergeant-at-Arms,*  
Salt Lake City, Salt Lake County.
- JOHN MCKELLER, JR., *Watchman,*  
Tooele City, Tooele County.
- RASMUS CLAWSON, *Messenger,*  
Ephraim, Sanpete County.
- SAMUEL G. CLARK, *Chaplain,*  
Richfield, Sevier County.
- WM. DOXEY, *Janitor,*  
Salt Lake City, Salt Lake County.

## STANDING COMMITTEES OF THE HOUSE.

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1

### ELECTIONS.

Allen, Johnson, Clark, Monson, Stoker.

2

### JUDICIARY.

Varian, Allen, Johnson, Stanford, Powers, Nebeker, Ivins.

3

### CLAIMS AND PUBLIC ACCOUNTS.

Sears, McKay, Hatch, Hubbard, Tolton.

4

### APPROPRIATIONS.

Parsons, Warner, Hatch, Mason, Sears, Nebeker, Moore.

5

### RULES.

Johnson, Varian, Powers.

6

### WAYS AND MEANS.

Stanford, Mason, McBride, \*Robertson, Tolton.

7

### COUNTIES.

McKay, Hatch, Wines, Hubbard, Stoker.

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\*Succeeded in all Standing Committees by Hon. H. M. Dougall.

8

HIGHWAYS.

Clark, McBride, Pigman, Monson, Tolton.

9

ENGROSSMENT.

Warner, Pigman, Ivins.

10

EDUCATION.

Allen, Stanford, Wines, Powers, Hubbard.

11

AGRICULTURE AND IRRIGATION.

Clark, McKay, Wines, \*Robertson, Moore.

12

MANUFACTURE AND COMMERCE.

Varian, Warner, Wines, \*Robertson, Nebeker.

13

MILITIA.

Pigman, Stanford, Moore.

14

PENITENTIARY AND REFORM SCHOOL.

Warner, Hatch, Sears, Hubbard, Ivins.

15

LIVE STOCK.

Hatch, Clark, Johnson, Parsons, Nebeker, Tolton, Monson

16

FISH AND GAME.

McKay, Wines, Monson.

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\*Succeeded in all Standing Committees by Hon. H. M. Dougall.

17

MINES AND MINING.

Mason, Sears, McBride, Johnson, Hatch, Tolton, Ivins.

18

PRIVATE CORPORATIONS.

Mason, Parsons, Hatch, Stoker, Ivins.

19

MUNICIPAL CORPORATIONS AND TOWNS.

Johnson, Stanford, Parsons, Powers, Nebeker.

20

ASYLUM FOR INSANE.

Sears, Allen, McKay, Moore, Hubbard.

21

PUBLIC HEALTH.

Wines, Pigman, Stoker.

22

CONTINGENT EXPENSES OF THE HOUSE.

McBride, Warner, \*Robertson.

23

WORLD'S COLUMBIAN FAIR.

Stanford, Mason, Hatch, Powers, Tolton.

24

STATISTICS.

Pigman, McBride, Monson.

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\*Succeeded in all Standing Committees by Hon H. M. Dougall.

## JOINT STANDING COMMITTEES.

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1

### ENROLLMENT.

Varian, Stanford, Stoker.

2

### PUBLIC PRINTING.

Parsons, Pigman, Powers.

3

### TERRITORIAL LIBRARY.

Mason, Wines, Powers.

4

### MEMORIALS TO CONGRESS.

Allen, Warner, Nebeker.

# HOUSE JOURNAL.

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## FIRST DAY.

HOUSE OF REPRESENTATIVES,  
Wasatch Building, Salt Lake City,  
January 8, 1894.

According to law, the members-elect of the House of Representatives of the Thirty-first Session of the Legislative Session of the Territory of Utah convened in the Wasatch Building, Salt Lake City, Utah, at 2 o'clock p. m.

The House called to order by J. R. Letcher, Chief Clerk of the House of the Thirtieth Session, who stated he was in possession of the list of the members-elect, certified by the Secretary of the Territory, which was read, as follows:

### LIST OF MEMBERS-ELECT.

Territory of Utah. }  
Office of the Secretary, } ss.

I, Charles C. Richards, Secretary of the Territory of Utah, do hereby certify that the persons hereinafter named were duly elected members of the Thirty-first Legislative Assembly of the Territory of Utah, as appears from certificates of election duly issued and delivered to them, to-wit:

From the First District	- - -	Aquilla Nebeker.
From the First District	- - -	Joseph Monson.
From the Second District	- - -	D. C. Hubbard.
From the Third District	- - -	Joseph Stanford.
From the Third District	- - -	A. J. Warner.



From the Fourth District - - - David McKay.  
 From the Fifth District - - Orlando W. Powers.  
 From the Fifth District - - - Curtis P. Mason.  
 From the Fifth District - - Clarence E. Allen.  
 From the Fifth District - - - S. G. Pigman.  
 From the Fifth District - - Morris K. Parsons.  
 From the Fifth District - - - Charles S. Varian.  
 From the Sixth District - - - David Stoker.  
 From the Seventh District - - Ira D. Wines.  
 From the Eighth District - Septimus W. Sears.  
 From the Ninth District - Charles R. McBride.  
 From the Tenth District - - Albion B. Emery.  
 From the Eleventh District \*Alexander Robertson  
 From the Twelfth District - - - John Moore.  
 From the Thirteenth District - Jacob Johnson.  
 From the Fourteenth District - Abram C. Hatch.  
 From the Fifteenth District, William H. Clark.  
 From the Sixteenth District - - J. F. Tolton.  
 From the Seventeenth District Anthony W. Ivins.

In Testimony Whereof, I have hereunto set  
 my hand and affixed the Great Seal of  
 [SEAL.] the Territory of Utah, at Salt Lake  
 City, the sixth day of January, A. D.  
 1894.

CHARLES C. RICHARDS,  
 Secretary of Utah Territory.

On motion of Mr. O. W. Powers, the list was accepted  
 as *prima facie* evidence of the right of members to their  
 seats upon the floor of the House, and upon the call of the  
 roll, every member responded.

On motion of Mr. Allen, the Secretary was notified  
 that the members were ready to be sworn in, and the Sec-  
 retary of the Territory then administered the oath required  
 by law—to the members present.

#### PRAYER.

The Rev. T. C. Iliff then offered the opening prayer.

On motion of Mr. Varian, the house proceeded to the  
 election of the Speaker.

## ELECTION OF SPEAKER

Mr. Allen nominated Mr. A. B. Emery.

Mr. Powers nominated Mr. Aquilla Nebeker.

Mr. Emery was elected by a vote of 14 to 8.

Mr. Varian offered the following H. R. No. 1.

## HOUSE RESOLUTION NO. 1

*Resolved*, That the following persons be and they are hereby elected to some of the respective offices and positions of this House as follows, to-wit:

Charles E. Stanton, of Salt Lake County, to be Chief Clerk.

F. J. Hendershot, of Weber County, to be Engrossing and Enrolling Clerk.

John McKeller, Jr., of Tooele County, to be Watchman.

Rasmus Clawson, of San Pete County, to be Messenger.

Samuel G. Clark, of Sevier County, to be Chaplain.

Wm. Doxey, of Salt Lake County, to be Janitor.

Mr. Powers moved to substitute the following

Chief Clerk, Matt. Thomas, Davis County.

Sergeant-at-Arms, Peter S. Parson, Cache County.

Engrossing and Enrolling Clerk, Martin S. Lindsay, Salt Lake.

Watchman, R. E. Davis, Box Elder County.

Messenger, John H. Barton, of Beaver.

Chaplain, David Mattheson, of Parowan.

Janitor, Joseph Washington, of Salt Lake.

Mr. Varian's resolution carried by a vote of 15 to 9.

Mr. Powers moved to elect a Sergeant-at-Arms and named Peter S. Parsons, of Cache County.

On motion of Mr. Varian this was laid on the table.

Vote—15 to 9.

On motion of Mr. Varian, a Committee of two was ap-

pointed by the chair, to escort Mr. Emery to the Speaker's desk.

Chair named Messrs. Varian and Nebeker, who escorted Mr. Emery to the Chair, and he briefly addressed the House.

On motion of Mr. Powers, the Council was notified of the organization of the House.

Mr. Powers offered the following:

HOUSE JOINT MEMORIAL NO. 1.

Of the Legislative Assembly of the Territory of Utah memorializing the Congress of the United States to confer statehood upon the Territory of Utah:

*Whereas:* By reason of population, wealth and patriotism the people have reached a period in the history of Utah when all opposition to statehood has ceased,

Now therefore be it,

*Resolved,* By the Governor and Legislative Assembly of the Territory of Utah that we earnestly urge upon the Congress of the United States, the early and prompt passage of the bill now pending enabling Utah to become a State, and your Memorialists will ever pray.

On motion of Mr. Allen this was laid upon the table until the appointment of committees, then to refer to Committee on Memorials.—Vote 15 to 9.

Mr. Varian moved that the rules of the last House be adopted and used.

Carried.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 8th, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the

Council has this day effected a permanent organization with the following officers:

President, M. A. Breeden, Ogden.  
Chief Clerk, Percy S. Sowers, Salt Lake City.  
Sergeant-at-Arms, Henry Adams.  
Enrolling and Engrossing Clerk, Joel Ricks.  
Messenger, John M. Hanson.  
Watchman, William H. Payne.  
Chaplain, R. G. Lambert.

Respectfully,  
PERCY S. SOWERS,  
Chief Clerk.

Mr. Nebeker offered the following H. R. No. 3:

*Resolved*, The Council concurring, that a committee of two of the House and the same number from the Council be appointed by the Speaker of House and President of Council to await upon His Excellency, the Governor, and inform him that the Assembly is organized and ready to receive any communication which he may desire to make.

Adopted.

The Speaker appointed Messrs. Nebeker and Wines such Committee.

Mr. Allen offered the following H. C. R. No. 1:

*Resolved*, First, the Council concurring—That the Sergeant-at-Arms of each House be authorized to furnish each member and officer of this Assembly with five (5) daily papers or their equivalent in other papers, and the necessary postage stamps for their use during the session, and that he be instructed to make all necessary arrangements for the delivery of their mail.

Second—That until otherwise provided by the Committee on Printing, the chief clerk of each House be authorized to arrange for the printing of the minutes, not to exceed 100 copies, of each House.

Third—That the Treasurer of the Territory be requested to furnish each member and the chief clerks with copies of the Compiled Laws of 1888-1890, Session Laws of

1892 and the Journals of the Council and House of the Thirtieth Session.

Carried and sent to Council.

Mr. Powers offered the following H. J. M. No. 2:

*Whereas*, The country has been oppressed by unjust legislation in Congress by which silver has been demonetized, and,

*Whereas*, As a consequence of such legislation the people are suffering, business is paralyzed and confidence destroyed; therefore be it

*Resolved*, By the Governor and Legislative Assembly of the Territory of Utah, that the Congress of the United States be memorialized immediately to remonetize silver and thus hasten a return of prosperity and confidence, and your memorialists will ever pray.

On motion of Mr. Allen this was laid upon the table; 15 to 9.

Mr. Varian offered the following H. J. R. No. 1:

*Resolved*, By the Governor and Legislative Assembly of the Territory of Utah:

That each House is hereby authorized to elect a minute clerk for the present session at a compensation of \$5.00 per day. Two committee clerks for the present session at a compensation of \$4.00 per day each. And that the Governor be and he is hereby authorized to appoint a messenger for the Executive Office for the present session at a compensation of \$4.00 per day, and that the Secretary be and he is hereby authorized to appoint a messenger for the Secretary's Office for the present session at a compensation of \$4.00 per day.

Moved by Mr. Varian to read second time by its title, that the rules be suspended and the resolution read for the third time and passed.

Adopted and sent to Council.

The Clerk read papers in the contest, Robertson vs. Dougall.

On motion of Mr. Varian the protest was laid on the table.

Mr. Powers announced the appointment of Samuel A. Merritt as Chief Justice, and F. W. Harris as Receiver of the Land Office.

Mr. Varian offered H. B. No. 1, relating to defraying contingent expenses for Clerks, etc., and on his motion it was read the second time by its title, the rules were suspended and the bill read for the third time, passed and sent to the Council.

Mr. Allen offered the following H. C. R. No. 2:

*Resolved*, The Council concurring, that as soon as any bill, resolution or other document may be printed, the chief clerk of each house be authorized to substitute a correctly printed copy of the same for the original.

That all amendments by committees shall be made upon separate sheets for submission to each body, and that the final changes adopted be indicated by different colored ink—red for the Council, and purple for the House.

Passed and sent to the Council.

Mr. Sears offered the following, H. R. No. 2:

*Resolved*, That the political parties represented in this House shall be grouped as follows: The Republicans shall be seated at the right of the Speaker, and the Democrats at the left.

Agreed to.

Mr. Powers moved to proceed to election of Sergeant-at-Arms.

On motion of Mr. Allen it was laid on the table; 15 to 9.

#### COMMITTEE REPORT.

Messrs. Nebeker and Wines reported that His Excellency the Governor would be pleased to meet the members of both Houses at 3:30. p. m.

## INVITATION.

Mr. Powers presented the following invitation:

Salt Lake City, January 7th, 1894.

To the Speaker and Members of the House, Thirty-first  
Legislative Assembly:

Gentlemen:—We have the honor to extend you an  
urgent invitation to be present at the celebration of  
“Jackson’s Day,” in the Representatives’ Hall, this even-  
ing, at 7:30 o'clock.

The entertainment will be under the auspices of the  
Union Democratic Club

John T. Caine, President Committee on Arrangements.  
E. W. Wilson, Secretary.

Mr. Powers invited the House to be present at the  
feast of the “White Dog” by the Tuscarora Society, at the  
Hotel Knutsford, January 8, 1894.

On motion of Mr. Nebeker the invitations were ac-  
cepted with thanks.

Mr. Allen moved that a recess be taken until the time  
when the Governor and Council meet.

Adopted.

## MINUTES OF JOINT SESSION.

At 3:40 p. m. the two Houses met in joint session,  
President Breeden of the Council presiding.

Prayer by chaplain of Council.

Chief Clerk of House read roll of joint session, showing  
all present except Mr. Adams.

At 3:45 His Excellency Governor C. W. West was  
announced and received standing.

He was introduced by President Breeden and read his  
message.



## GOVERNOR'S MESSAGE.

Gentlemen:

As a citizen of Utah I congratulate you and myself that it is more than probable in welcoming you, which I heartily do, that it is my pleasure to greet our last Territorial Legislative Assembly.

The early passage of the Enabling Act for the admission of the Territory into the Union, which now seems assured, will require the assembling of a convention which will formulate the fundamental principles that shall control the new State, and the meeting of a new Legislature that will follow, to readjust our laws to meet the changed conditions, admonish us of the propriety of confining present legislation to matters of urgent necessity, and the taking of preliminary steps only in the inauguration of new subjects of importance, which will require time for their completion.

Believing in the wisdom of such a course, I have endeavored to so confine my recommendations.

### UNIVERSITY AND AGRICULTURAL COLLEGE.

The question of the advisability of consolidating and making one institution of the University of Utah and Agricultural College, has been the subject of much recent interesting discussion.

The present site and ground for the University are considered unsuitable and insufficient, and a bill looking to obtaining a more suitable location on the Fort Douglas Military Reservation was introduced in the last Congress and re-introduced in the present Congress. It is expected that favorable action will be taken when the bill is reached. The pending statehood bill provides for the donation of public lands to the University and to the College. Both institutions have been established by and fostered and nurtured by liberal appropriations from the Territory, and each is in successful operation. In view of the existing situation and the grave importance of the question, I would respectfully suggest the wisdom at this time of making only necessary appropriations for the successful carrying on of



the respective institutions under present conditions, thus affording ample time for a complete investigation, and thorough discussion of the question of consolidation.

#### COMMISSION ON IRRIGATION.

In my message to the Legislative Assembly six years ago I submitted the following:

‘The great value of water to our people, and the prosperity to flow from a complete utilization of our supply, is readily recognized by all. I recommend the appointment of a commission of three persons, one of whom at least shall be required to be a competent civil engineer, skilled in his science; the commission to be charged with the duty of making a full and exhaustive investigation of the question, and required to report to the next Legislative Assembly the result of its labors, with such suggestions as it may be enabled to make for the inauguration of a comprehensive and thorough system of irrigation for the use of our reclaimed and the reclamation of other lands. Necessary appropriations for this purpose I recommend.’

Time, and the agitation of, and the increased interest in the question of irrigation, has confirmed me in the view that much good would come from the action of such a commission, and I respectfully ask your favorable consideration.

#### CAPITOL BUILDING.

Being advised of the request of the Capitol Commission (its report will follow later) for an appropriation of \$125,000 to begin the construction of the Capitol by building a wing which will furnish necessary offices for the present, in my opinion it should be granted.

It would be judicious economy to make the saving that would result from doing so. The rents that would have to be paid to secure necessary and suitable accommodations for the different branches and offices of the Government, would be much more than the interest upon the investment. The building would provide more ap-

propriate and better quarters in which the business of the people could be transacted than could possibly be obtained elsewhere. A permanent building for the purpose must sooner or later be erected, and the advantages to accrue to our material men and laborers to prosecute the work are obvious.

#### MONUMENT TO BRIGHAM YOUNG.

A Memorial Association has been inaugurated by a number of our citizens to erect a suitable monument in honor of Brigham Young. They have contracted with a Utah artist, who has furnished the design for, and has in part completed a great work. It would seem that no more fitting and appropriate site could be selected for the erection of such a memorial to Governor Young than the Capitol grounds of the Territory of which he was the first Governor and of the State of which he was the pioneer statesman and founder.

I recommend that you take such steps as you may deem advisable to obtain the desired end.

#### A MILITIA RECOMMENDED.

A properly organized militia is almost a necessity of a well ordered free commonwealth. Our young men, for several years, with commendable patriotic manliness have been ready and willing to assume the duties and responsibilities of service and have only awaited the direction and authority of the law-makers to give us a military establishment which will be the pride of the inter-mountain country. Of the appropriations made by the general Government in aid of the State and Territorial militia, \$75,057.05 had been allotted to this Territory up to June 30, 1889, and none since that time. In view of our early admission as a State into the Union, let us by prompt enactment of a law enable our people to avail themselves of their desires and opportunities to establish a military force, and thus, as in all other respects, show that our Territory is well prepared and fitted for admission into the Union of States.

## EIGHT HOURS A DAY'S WORK.

Entertaining a firm conviction that the happiness of mankind would be greatly contributed to by lessening the hours of labor, I earnestly recommend in the interest of this great reform, an act providing that eight hours shall constitute a day's work on all public works.

## AMEND AND REVISE THE LIEN LAW.

Our mechanics' lien law is imperfect and needs revising and amending. I commend to your wisdom the preparation of a wise and just measure that will fully protect the material men and laborers.

## TERRITORIAL WARRANTS SHOULD BE KEPT AT PAR.

For years the managers of public institutions of the Territory have been compelled, in order to sustain them, to borrow money at a high rate of interest and without authority of law to do so.

The holders of Territorial warrants have been compelled often to submit to heavy discounts to realize on them. Such a grievous and shameful condition should be promptly remedied and no longer tolerated. There is no reasonable excuse why all the debtors of this rich and prosperous Territory should not be promptly and fully paid, and its warrants be at all times as good as coin.

## REPORTS OF PUBLIC OFFICERS AND INSTITUTIONS.

The following reports made to the Governor I lay before you:

The Auditor of Public Accounts, the Treasurer, the Librarian, the Sealer of Weights and Measurers, the President and Directors of the Deseret Agricultural and Manufacturing Society.

In due time you will receive reports from the Regents of the University of Utah, the Trustees of the Agricultural College, directors of the Insane Asylum and trustees of the Reform School informing you of the progress, condition and the needs of the respective institutions.

## DELAYED LEGISLATION.

I earnestly request that the Assembly may so dispose of business before it that ample time for investigation and deliberation on all measures sent them may be given to the Governor. It is too often the case that the most important legislation is crowded into the last days of the session and must be hastily and inconsiderately disposed of.

Animated, as I do not doubt we all are, with the great purpose of serving the people well, I invoke God's blessing upon our labors, that they may redound to his glory and the people's good.

CALEB W. WEST.

Executive Mansion,  
Salt Lake City, Utah, January 8, 1894.

At the conclusion of the reading, Mr. Powers offered the following H. R. No. 4:

*Resolved*, That the message of the Governor and accompanying documents be spread upon the minutes of the joint session, and that two thousand copies thereof be printed.

Adopted unanimously.

Chief clerk of Council read minutes of joint session and on motion of Mr. Varian the minutes were approved and the joint session adjourned.

Mr. Stanford offered the following H. R. No. 5:

Until otherwise ordered, that the house meet in regular session at 2 p. m.

Adopted.

## COMMITTEES APPOINTED.

The speaker named the following committees:

## ELECTIONS

Allen, Johnson, Clark, Monson, Stoker.

## RULES

Johnson, Varian, Powers.

On motion of Mr. Varian the protest in the case of Robertson vs. Dougall was referred to the committee on elections.

The following communications were received from the Council:

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
January 8, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 1, relating to postage, papers, etc., and Compiled Laws, Session Laws, Journals, etc.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Council Chamber,  
January 8, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in and passed the enclosed H. C. R. No. 2, relating to manner of amendments, etc.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Council Chamber,  
January 8, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day amended H. C. R. No. 3 as indicated therein, and passed it as amended.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

At 4:15 p. m., on motion of Mr. Varian the House adjourned.

## SECOND DAY

January 9th, 1894.

House called to order at 2 p. m., by Speaker Emery.  
Roll call—23 members present.

Prayer by Chaplain

Mr. Varian moved to elect a Sergeant-at-Arms.  
Carried.

Mr. Varian named H. C. Snyder.

Mr. Tolton named P. S. Barson.

For Mr. Snyder—Allen, Clark, Emery, Hatch, Johnson, Monson, McBride, McKay, Parsons, Pigman, Seais, Stanford, Varian, Warner,—14.

For Mr. Barson—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Stoker, Tolton, Wines,—9

Mr. Snyder elected.

## UNFINISHED BUSINESS.

Mr. Stoker moved to concur in the Council Amendments to H. C. R. No. 1, providing four (4) daily papers, Session Laws of 1890, and Index by Grant H. Smith.

Adopted.

## READING MINUTES.

The Clerk read the Minutes of First Day, which after some corrections, were approved.

Mr. H. C. Snyder as Sergeant-at-Arms, and Mr. John McKellar, as Watchman, were sworn in by the Clerk.

The following communication was received:

The Rocky Mountain Bell Telephone Company:

Salt Lake City, Utah, January 8, 1894.

To the Speaker of the Lower House of the Legislature, Salt Lake City, Utah:

Dear Sir:—I have the pleasure of tendering you, for the use of your honorable body, a telephone, to be used by any of the members during the session, without expense to them. This includes our whole telephone system in Utah.

If you desire instrument, kindly let us know where you wish it located.

Yours very respectfully,

GEO. Y. WALLACE,  
President.

Offer was accepted with thanks and the Sergeant-at-arms instructed to name place for telephone.

H. B. No. 2, by Mr. Pigman: An act constituting eight hours a day's labor on all public works.

Moved by Mr. Varian to read first and second time by title and refer to Judiciary Committee.

Carried.

Mr. Allen offered H. B. No. 3, A Bill for an act to provide for maintenance of public libraries in cities of first and second class.

Moved to read first and second times by title and refer to Committee on Education.

The speaker then announced the following

## STANDING COMMITTEES.

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### ELECTIONS.

Allen, Johnson, Clark, Monson, Stoker.



## JUDICIARY.

Varian, Allen, Johnson, Stanford, Powers, Nebeker, Ivins.

## CLAIMS AND PUBLIC ACCOUNTS.

Sears, McKay, Hatch, Hubbard, Tolton.

## APPROPRIATIONS.

Parsons, Warner, Hatch, Mason, Sears, Nebeker, Moore.

## RULES.

Johnson, Varian, Powers.

## WAYS AND MEANS.

Stanford, Mason, McBride, \*Robertson, Tolton.

## COUNTIES.

McKay, Hatch, Wines, Hubbard, Stoker.

## HIGHWAYS.

Clark, McBride, Pigman, Monson, Tolton.

## ENGROSSMENT.

Warner, Pigman, Ivins.

## EDUCATION.

Allen, Stanford, Wines, Powers, Hubbard.

## AGRICULTURE AND IRRIGATION.

Clark, McKay, Wines, \*Robertson, Moore.

## MANUFACTURE AND COMMERCE.

Varian, Warner, Wines, \*Robertson, Nebeker.

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\*Succeeded in all Standing Committees by Hon. H. M. Dougall.



## MILITIA.

Pigman, Stanford, Moore.

## PENITENTIARY AND REFORM SCHOOL.

Warner, Hatch, Sears, Hubbard, Ivins. .

## LIVE STOCK.

Hatch, Clark, Johnson, Parsons, Nebeker, Tolton, Monson.

## FISH AND GAME.

McKay, Wines, Monson.

## MINES AND MINING.

Mason, Sears, McBride, Johnson, Hatch, Tolton, Ivins.

## PRIVATE CORPORATIONS.

Mason, Parsons, Hatch, Stoker, Ivins.

## MUNICIPAL CORPORATIONS AND TOWNS.

Johnson, Stanford, Parsons, Powers, Nebeker.

## ASYLUM FOR INSANE.

Sears, Allen, McKay, Moore, Hubbard.

## PUBLIC HEALTH.

Wines, Pigman, Stoker.

## CONTINGENT EXPENSES OF THE HOUSE.

McBride, Warner, \*Robertson.

## WORLD'S COLUMBIAN FAIR.

Stanford, Mason, Hatch, Powers, Tolton.

## STATISTICS.

Pigman, McBride, Monson.

## JOINT STANDING COMMITTEES.

## ENROLLMENT.

Varian, Stanford, Stoker.

## PUBLIC PRINTING.

Parsons, Pigman, Powers.

## TERRITORIAL LIBRARY.

Mason, Wines, Powers.

## MEMORIALS TO CONGRESS.

Allen, Warner, Nebeker.

Mr. Allen offered:

H. J. M. No. 3, relative to Tariff on Lead Ores.

Moved to refer to Committee on Memorials.

Amended by Mr. Powers to refer to Committee on Mines and Mining.

Amendment lost—16 to 6.

Motion of Mr Allen carried.

Mr. Allen offered the following:

H. J. M. No. 4, relative to Gold and Silver Coinage at a ratio of 16 to 1, etc.

Mr. Allen moved to refer to the Committee on Memorials.

Amended by Mr. Powers to suspend the rules; read first and second times by title; read the third time and passed.

Amendment lost—12 to 10.

H. J. M. No. 4—Amendment.

Ayes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Robertson, Stoker, Tolton, Warner—10.

Noes—Allen, Clark, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Speaker—12.

Mr. Allen's motion to refer to committee was carried unanimously.

H. R. No 6, by Mr. Powers:

*Whereas*, The people of Utah are united in asking for and have a right to expect Statehood at the earliest possible moment,

*And whereas*, H. J. M. No. 1 was introduced into this House January the 8th, memorializing Congress to hasten the passage of a Statehood bill for Utah;

*And whereas*, said memorial was, by a majority of this body laid upon the table; therefore, be it

*Resolved*, That said memorial be taken from the table and put upon its immediate passage, to the end that our Representative in Congress and the National House of Representatives and Senate may be advised of the sentiment of this body.

Not agreed to.

H. J. Memorials Nos. 1 and 2, read first and second time and referred to Committee on Memorials.

Mr. Varian offered H. J. M. No. 5, relating to duty on wool.

Moved to refer to Committee on Memorials.

Carried.

Mr. Varian offered H. J. M. No. 6, relating to the admission of Utah as a State.

Mr. Powers moved to suspend rules and pass.

Referred to Committee on Memorials.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 9th, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has received the accompanying invitation and

passed C. C. R. No. 3, fixing the 12th day of January as the date to visit the Agricultural College.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Council Chamber.

January 9th, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has adopted C. C. R. No. 2, requesting the Secretary of the Territory to provide for raising the flag daily, and C. C. R. No. 1, relating to printing of pamphlets of names of committees, members, residences, etc.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

On motion of Mr. Stoker, the House concurred in both C. C.'s.

Mr. Allen offered H. J. M. No. 7, requesting that the Woman's Industrial Home be given to Salt Lake City School District for use as a high school.

Read first and second time and sent to Memorial Committee.

Mr. Allen introduced, by request, H. B. No. 4, An Act constituting eight hours a day's labor.

Mr. Allen moved to pass to second reading and refer to Judiciary Committee.

Carried.

Moved by Mr. Johnson that the Sergeant-at-arms of the house confer with the Sergeant-at-arms of the Council in selection of Committee Rooms.

Adopted.

Mr. Stanford moved to reconsider the vote on C. C. R. No. 1.

Carried.

Mr. Stanford moved to amend the resolution making the date of visit to Logan, January 19th, in place of the 12th.

Carried.

Council notified of amendment.

Mr. Allen moved to refer report of Directors of Insane Asylum to Committee on Insane Asylum.

Adopted.

Mr. Stanford offered the following H. R. No. 7:

That a committee on Capitol Grounds and Buildings be created as a Standing Committee of the House to be composed of five members.

Carried.

Speaker announced he would appoint Committee later.

Mr. Nebeker moved that the copy of the *Prove Enquirer* left on his desk be referred to the Committee on Education.

Mr. Allen moved to lay on the table. Carried 13 to 8.

Mr. Varian offered H. R. No. 8.

*Resolved*, That the Sergeant-at-arms be instructed to provide a bulletin board for the posting of the orders and business of each day, to be placed in a prominent place in the Assembly Chamber.

Carried, and Sergeant-at-Arms ordered to act immediately.

Mr. Powers offered H. B. No. 5, relating to the redemption of real property sold under forced sale, etc.,

Read first and second times by title and referred to Judiciary Committee.

Motion by Mr. Sears to adjourn, and after benediction by the Chaplain the House adjourned at 4 o'clock, p. m.

## THIRD DAY.

January 10th, 1894.

House called to order at 2 p. m., by Speaker Emery.

Roll call—All members present.

Prayer by Chaplain.

## READING OF MINUTES.

After correction the minutes were approved.

## PRESENTATION OF PETITIONS.

H. P. No. 1, by Mr. Hatch—from citizens and officials of Grand County, relating to school funds and school laws.  
Read in full first time.

Moved to read by title second time and refer to Committee on Education.

Adopted.

## REPORT OF STANDING COMMITTEES.

Mr. Johnson, from the Committee on Rules, submitted a report amending the following rules of last session:

Nos. 1, 2, 5, 6, 7, 9, 10, 11, 12, 14, 15, 19, 22, 26, 28, 30, 31, 36 and 38, and adding rules 41, 42, 43.

The report was received, and on motion of Mr. Tolton, the Clerk was instructed to provide 200 copies of the Rules of the House as amended by the foregoing.

While receiving the reports of the standing committees a communication was received from the Council, and an attempt to dispose of this at once provoked a general discussion. The Speaker finally ruled that this and all like communications must be considered in their proper order.

## ENROLLMENT.

Mr. Warner submitted the following report:

Committee Room,  
January 10, 1894.

Mr. Speaker:

Your committee, to whom was referred H. J. R. No. 1, relating to the election of a Minute Clerk and other employees, beg leave to report that the same has been correctly enrolled, duly signed by the Speaker of the House and President of the Council, and was this day forwarded to the Governor for executive action thereon.

WARNER, Chairman.

Report received.

#### INTRODUCTION AND FIRST READING OF BILLS.

H. B. No. 6, by Mr. Allen (by request)—authorizing certain cities and incorporated towns to establish libraries.

Read by title second time and referred to Committee on Libraries.

H. B. No. 7, by Mr. Tolton—to Provide for Jurors' and Witness' Fees in Second Judicial District.

On request of Mr. Hatch, the bill was read in full and then referred to Committee on Judiciary.

H. B. No. 8, by Mr. Johnson—Relative to Estrays and Damage by Live Stock.

Read first and second time by title and referred to Committee on Live Stock.

H. B. No. 9, by Mr. Allen—Providing for the Payment of Contingent Expenses of the Thirty-first Session.

On motion of Mr. Varian, the Bill was amended as follows:

In line 7, \$2,000 in place of \$1,200.

In line 11, insert the word additional before "contingent."

Read first and second time by title.

A suspension of the rules was unanimously agreed to and the Bill, as amended, read the third time, passed and sent to the Council for concurrence.

H. J. M. No. 8, by Mr. Varian, relating to certain property of the Church of Jesus Christ of Latter-day Saints.

On motion, memorial read first and second time by title. Rules suspended and read the third time at length and passed. Title approved and sent to the Council for concurrence.

Mr. Varian—H. J. M. No. 9, relative to the bounty on American beet and other sugars.

Read second time by title and referred to Committee on Memorials.

H. J. M. No. 10, by Mr. Tolton, relating to disposition of Woman's Industrial Home.

Read second time by title and referred to Committee on Memorials.

H. R. No. 9, by Mr. Sears, relating to seats for visiting ladies.

*Resolved*, That the front row of seats immediately in the rear of the members' seats be reserved for the exclusive use of lady visitors during the sessions of the House, and that the Sergeant-at-Arms be instructed to carry this resolution into effect from and after its passage.

Adopted.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber.

January 10. 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council concurs in the House amendment of C. C. R. No. 3, fixing Friday, January 19th, 1894, as date for visiting the Agricultural College.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.



## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 10, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has passed C. C. R. No. 4, relating to bids for public printing.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

House concurred.

Council Chamber.  
January 10, 1894.

Mr. Speaker:

I am directed by your honorable body that C. C. R. No. 5 has been adopted, that it relates to printing 200 copies of bills favorably reported by Chairman of Committees, and is endorsed herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk

Concurred in.

Council Chamber.  
January 10, 1894.

Mr. Speaker:

I am directed to inform your honorable body that C. C. R. No 6 has passed the Council; it relates to Blank Books and Envelopes for members, and is enclosed herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

House concurred in the resolution.

Council Chamber.  
January 10, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has considered H. B. No. 1, relating to appropriations for the payment of Minute Clerks, et als., as herewith returned, and that it has passed the same as amendend.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Amendment concurred in; bill passed and sent to Common Enrollment.

INVITATION FROM THE UNION PACIFIC RAILWAY COMPANY.

Salt Lake City,  
January 10, 1894.

Hon. A. B. Emery,  
Chairman, City:

Dear Sir.—Understanding that it is the desire of the members of the House of Representatives to pay an official visit to the Agricultural College at Logan, Utah, the Union Pacific Railway Company hereby tenders the members a cordial invitation to become its guests, on such a date as you may name. The train schedule to be as follows:

Leave Salt Lake City at 7 a. m. and running via special train from Ogden to Logan. Returning from Logan in time to connect at Ogden with our train No. 5, which arrives at Salt Lake at 7:25 p. m.

Kindly advise date on which you desire train run, and oblige,

Yours truly,  
W. H. BANCROFT,  
General Superintendent.

On motion of Mr. Tolton, the invitation was accepted with thanks and the clerk instructed to notify Mr. Bancroft the date of visit.

On motion of Mr. Tolton, the House adjourned at 4:15 p. m.

## FOURTH DAY.

January 11th, 1894.

Speaker Emery called the House to order at 2 p. m.

Roll call—All members present.

Prayer by Chaplain.

Minutes of third day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. Claim No. 1, by Mr. Tolton—claim of Sheriff of Beaver County, \$33.

Referred to Committee on Claims.

## REPORT OF STANDING COMMITTEES

Mr. Allen, from the Committee on Memorials, offered the following:

House of Representatives,

January 11, 1894.

Mr. Speaker:

Your Committee to whom was referred the House Joint Memorial No. 3, have the honor to report the same, after consideration, with amendments thereto. We recommend the adoption of the amendments, and the passage of the memorial as thus amended.

ALLEN, Chairman.

House of Representatives,

January 11, 1894.

Mr. Speaker:

Your committee to whom was referred House Joint Memorial No. 4, have the honor to report the same with amendments thereto, and we recommend the adoption of the amendments and the passage of the memorial as thus amended.

ALLEN, Chairman.

House of Representatives,  
January 11, 1894.

Mr. Speaker:

Your committee on memorials, to whom was referred House Joint Memorial No. 6, beg leave to report the same with an amendment thereto. We recommend the adoption of the amendment and the passage of the memorial thus amended.

ALLEN, Chairman.

House of Representatives,  
January 11, 1894.

Mr. Speaker:

Your committee to whom was referred House Joint Memorial No. 9, herewith return the same with an amendment thereto. The committee recommends the adoption of the amendment and passage of memorial thus amended.

ALLEN, Chairman

On motion the House Joint Memorials Nos. 3, 4, 6, and 9, were adopted as amended, and passed to third reading.

Mr. Varian, from the Committee on Judiciary, offered the following:

Judiciary Committee Room,  
January 11, 1894.

Mr. Speaker:

Your Committee on Judiciary having had under consideration H. B. No. 2, report the same herewith with amendments, with the recommendation that they be adopted, and that the bill as amended be passed. Referring to the third amendment, striking out the third section the committee are of the opinion that the Legislature would have no power by public law to discriminate in the way proposed against citizens of the United States from

other States and Territories. H. B. No. 4 relating to the same subject matter, is reported herewith with the recommendation that the Bill lie upon the table.

C. S. VARIAN.

Chairman

Report received.

#### RULES OF ORDER AMENDED.

Mr. Varian asked leave to change the Rules of Order, by adding a new order in Rule No. 11, namely after order No. 6, viz: consideration of reports of committees.

The amendment was agreed to, and on motion of Mr. Ivins, the Rules of the Thirty-first Session, as amended, were adopted.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion, H. B. No. 1 was laid on the table.

#### COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,  
Executive Office,

Salt Lake City, January 10, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir:—I have this day approved and filed in the office of the Secretary of the Territory, House Joint Resolution No. 1, relating to the election of Minute Clerks and other employees.

I am, Sir, very respectfully,  
CALEB W. WEST,  
Governor.

## INTRODUCTION AND FIRST READING OF BILLS.

H. B. No. 10, by Mr. Pigman—An Act to Amend the Compiled Laws of Utah.

Read first and second time by title and referred to Committee on Judiciary.

H. J. R. No. 3, by Mr. Allen—relating to exhibits for Midwinter Fair.

Read first and second time by title and referred to World's Fair Committee.

On motion of Mr. Allen the vote to refer was reconsidered.

The rules were suspended.

The resolution read at length third time, and, on motion of Mr. Nebeker, adopted unanimously and sent to Council for concurrence.

H. B. No. 11, by Mr. Mason—An Act Providing a Lien for Attorneys-at-Law.

Bill read second time by title and referred to Committee on Judiciary.

H. B. No. 12, by Mr. Mason—An Act to Prohibit Attorneys from becoming sureties, etc.

Read first and second time and referred to Committee on Judiciary.

H. B. No. 13, by Mr. Sears—An Act to amend Section 2032, Chapter 10, Compiled Laws.

Read first and second time by title.

Referred to Committee on Judiciary.

H. B. No. 14, by Mr. Johnson—An Act Providing for Taxation of Debts Secured by Mortgage.

Read first and second time and referred to Committee on Judiciary.

H. B. No. 15, by Mr. Johnson—An Act creating the office of Watermaster.

Read first and second time and referred to Committee on Judiciary.

H. J. M. No. 11, by Mr. Parsons—relating to the Uintah and Uncompahgre Indian Reservation.

Read first and second times by title and referred to Committee on Memorials.

H. B. No. 16 by Mr. Hatch—(by request), A Bill for an Act attaching a part of San Juan County to Grand County.

Read first time at length, second time by title and referred to Committee on Counties.

H. R. No. 10, by Mr. Hubbard:

*Resolved*, That the Speaker of the House refer the Governor's message to the appropriate committees.

Adopted.

H. R. No. 11, by Mr. Hubbard:

*Resolved*, That the freedom of the House be extended to persons mentioned in Rule 34, and that the Clerk of the House notify them to that effect.

Adopted.

H. R. No. 12. by Mr. Varian:

*Resolved*, That John D. Spencer be elected Minute Clerk and S. I. Paradise and Francis M. Lyman, Jr., be elected Committee Clerks of this House.

Adopted.

#### THIRD READING OF BILLS.

H. J. M. No. 6—relating to Admission of Utah as a State read at length, and on motion of Mr. Nebeker, the memorial was unanimously adopted.

Title approved and sent to the Council for concurrence.

H. J. M. No. 3—relating to Duty on Lead Ores was read the third time.

Mr. Powers moved to amend by striking out lines 3, 4, 5, 6, 7, and 8.

Motion withdrawn.



Mr. Nebeker seconded by Mr. Hubbard, moved to recommit the memorial.

Motion lost.

Ayes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Robertson, Stoker, Tolton—9.

Noes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Speaker—15.

Mr. Ivins moved to make this question a special order for to-morrow, Friday, January 12th.

Mr. Allen moved to lay this motion on the table.

Carried—15 to 9.

#### TO LAY ON TABLE.

Ayes—Allen, Clark; Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Speaker—15.

Noes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Robertson, Stoker, Tolton—9.

Mr. Nebeker moved to adjourn.

Motion lost—15 to 9.

#### TO ADJOURN.

Ayes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Robertson, Stoker, Tolton—9.

Noes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Speaker—15.

Mr. Powers moved to make this a special order for Monday, January 15th.

Mr. Stanford moved to lay on table.

Point of order raised against this motion.

Chair ruled the motion to lay on table had precedence.

Mr. Powers appealed from decision of chair.

Chair sustained by vote of 16 to 6.

Motion to lay on table adopted.



## ON RULING OF CHAIR.

Ayes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Nebeker—17.

Noes—Hubbard, Ivins, Monson, Moore, Powers, Robertson—5.

Mr. Nebeker moved to adjourn.

Motion lost.

## ADJOURNMENT.

Ayes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Robertson, Stoker, Tolton—9.

Noes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Speaker.—15.

Mr. Allen called for previous question.

Mr. Nebeker moved to lay the previous question on the table.

Chair ruled the previous question in order.

Mr. Nebeker appealed from decision of chair.

Chair sustained by a vote of 15 to 4.

Ayes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Speaker.—15.

Noes—Hubbard, Nebeker, Robertson, Stoker.—4.

Not Voting—Ivins, Monson, Moore, Powers, Tolton—5

Vote on the adoption of Memorial No. 3:

Ayes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Tolton, Varian, Warner, Wines, Mr. Speaker.—16.

Noes—Hubbard, Stoker—2

Not Voting—Ivins, Monson, Moore, Nebeker, Powers, Robertson—6.

Memorial adopted, title approved and sent to Council for concurrence.

Mr. Hubbard moved to adjourn.

Lost—Vote 11 to 12.

## ADJOURNMENT.

Ayes—Hubbard, Ivins, Monson, Moore, Nebeker, Parsons, Powers, Robertson, Stoker, Tolton, Varian—11

Noes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Pigman, Sears, Stanford, Warner, Wines—12.

## THIRD READING OF BILLS PROCEEDED WITH.

H. J. M. No. 4, by Mr. Allen—Relating to Remonetization of Silver.

Adopted unanimously, title approved and sent to the Council for concurrence.

H. J. M. No. 9, by Mr. Varian—Relating to bounty on Sugar.

Adopted—15 to 6.

Ayes—Allen, Clark, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Speaker—15.

Noes—Hubbard, Ivins, Nebeker, Powers, Stoker, Tolton—6.

Not voting—Monson, Moore, Robertson—3.

## INVITATION TO VISIT REFORM SCHOOL.

OGDEN, Utah, January 10, 1894.

Hon. A. B. Emery, Speaker House of Representatives, Utah Legislature, Salt Lake City, Utah:

SIR—I have the honor herewith to extend to the Members of the House an invitation to visit the Territorial Reform School at their earliest convenience.

Yours respectfully,

JAMES N. KIMBALL,

President Board of Trustees.

On motion, invitation accepted with thanks and Saturday, January 13th, decided upon as date of visit.

Clerk instructed to notify Mr. Kimball.

## COMMUNICATION FROM THE COUNCIL.

In reference to visit Reform School, Tolton moved to make special order, for Friday, January 12th.

Adopted.

## MISCELLANEOUS BUSINESS.

Mr. Robertson excused until Monday.

Mr. Allen excused for one day, Friday, January 12th.

On motion of Mr. Varian, the House adjourned at 5 p. m.

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FIFTH DAY.

January 12, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Twenty-two members present.

Messrs. Allen and Robertson excused.

Prayer by Chaplain.

Minutes of fourth day read, corrected and approved.

The Chair announced as a Committee on Capitol and Capitol Grounds.

Stanford, Mason, McBride, Stoker, Powers.

## REFERENCES OF SPEAKER.

Salt Lake City,  
January 12, 1894

In accordance with House Resolution No. 10:

So much of the Governor's Message as refers to the University, Agricultural College, and Commission on Irrigation is referred to Committee on Agriculture and Irrigation.

So much as refers to the Capitol Building is referred to Committee on Capitol and Capitol Grounds.

So much as refers to an organized militia is referred to Committee on Militia.

So much as refers to fixing the hours constituting a day's labor, and to revision and amendments to existing laws, is referred to Committee on Judiciary.

So much as refers to Territorial Warrants and Reports of Public Officers, is referred to the Committee on Ways and Means.

#### PRESENTATION OF PETITIONS.

H. Claim No. 2, by Mr. Warner, claim of Jacob S. Boreman, \$1,750.

Read in full first time, second time by title.

Referred to Committee on Public Accounts.

H. Claim No. 3, by Mr. Stanford, claim of Corey Bros. & Co., \$91.

Read first and second times by title.

Referred to Committee on Public Accounts.

H. Claim No. 4, by Mr. Sears, claim of Spencer Clawson, \$192.

Read first and second times by title.

Claim referred to Committee on Public Accounts.

#### REPORTS RECEIVED.

Report No. 1, report of Fish Commissioner.

Read at length.

Report received and referred to Committee on Fish and Game.

Report No. 2; Mr. Stanford submitted a report from the Capitol Grounds Commission.

Referred to Committee on Capitol Grounds.

H. P. No 2, by Mr. Hatch, relating to county roads in San Juan and Grand Counties.

Read first and second times by title and referred to Committee on Counties.

H. P. No. 3, by Mr. Johnson, requiring railway companies to publish list of animals killed by trains.

Read first and second times by title.

Referred to Committee on Private Corporations.

REPORT OF STANDING COMMITTEES

ON ENROLLMENT.

Committee Room,  
January 10 1894.

Mr. Speaker:

Your Committee on Enrolled Bills desire to report that they have examined the enrolled House Bill No. 1, providing payment of additional contingent expenses of the Legislative Assembly, and find the same correctly enrolled, signed by the Speaker of the House and President of the Council, and the same has been duly forwarded to the Governor for official action thereon.

Warner,  
Chairman.

Report received.

ON JUDICIARY.

Judiciary Committee Room,  
January 12, 1894.

Mr. Speaker:

Your committee having under consideration H. B. No. 7, recommend that it be referred to committee on claims and public accounts.

VARIAN,  
Chairman.

Committee Rooms,  
January 12, 1894.

Mr. Speaker;

Your committee having had under consideration H. B. No. 10, recommend that it do pass.

VARIAN, Chairman.

Judiciary Committee Rooms,  
January 12, 1894.

Mr. Speaker.

Your committee having had under consideration H. B. No. 12, recommend that it do pass.

VARIAN, Chairman

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Varian, H. B. No. 7 was referred to Committee on Ways and Means.

#### INTRODUCTION AND FIRST READING OF BILLS.

The following House Bills were read first and second times by title under suspension of the rules and referred to committees:

H. B. No. 17, by Mr. Stoker—A Bill for an Act to Regulate Artesian Wells. etc.

Committee on Irrigation.

H. B. No. 18, by Mr. Powers—A Bill for an Act Allowing Stockholders of Corporations to Redeem Stock Sold for Non-Payment of Assessments.

Committee on Judiciary.

H. B. No. 19, by Mr. Powers—A Bill for an Act to Amend Section 3474, Compiled Laws of Utah, 1888, Relating to Real Actions.

Committee on Judiciary.

H. B. No. 20, by Mr. Powers—A Bill for an Act to Provide for Protection of Game and Birds.

Committee on Fish and Game.

H. B. No. 21, by Mr. Varian (by request)—A Bill for an Act to Secure Liens to Mechanics and others.  
Committee on Judiciary.

H. B. No. 22, by Mr. Varian (by request)—A Bill for an Act to Prevent the Introduction of Contagious and Infectious Diseases Through Domesticated Animals.  
Committee on Live Stock.

H. B. No. 23, by Mr. McBride—An Act Amending Section 4, Chapter 24, Relating to Assessments, of Session Laws, 1892.  
Committee on Judiciary.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 12, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. J. M. No. 8, relating to certain property of the Church of Jesus Christ of Latter-Day Saints, escheated to the United States, has been passed, and is herewith returned.

Also enclosed, C. C. R. No. 7, accepting invitation to visit the Reform School at Ogden, January 26th.

P. S. SOWERS,  
Chief Clerk.

H. J. M. No. 8, sent to Committee on Enrollment.

On motion of Mr. Stanford, House refused to concur in C. C. R. No. 7 and requested a conference.

Speaker appointed Stanford and Pigman on such Committee and Council was notified.

## HOUSE RESOLUTION.

No. 10, by Mr. Powers:

*Resolved*, That Donn J. Shields be and he is hereby appointed Page of the House of Representatives for the Territory of Utah, the compensation of said Page being hereby

fixed at the sum of one dollar per day for each day's session, from the beginning of this session, and that the Sergeant-at-Arms be and he is hereby instructed to pay said compensation out of the contingent fund.

Resolution adopted unanimously.

#### THIRD READING OF BILLS.

H. B. No. 2, by Mr Pigman—A Bill for an Act constituting eight hours a day's labor on all public works.

During debate the Speaker invited Mr. Varian to the Chair while he spoke on the pending measure, after which he resumed the Chair.

Mr. Powers moved to amend by striking out the words "on all public works."

Amendment lost—15 to 7.

Roll call on amendment.

Ayes—Hubbard, Monson, Moore, Nebeker, Powers, Stoker, Tolton—7.

Noes—Clark, Hatch, Ivins, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—15.

Bill passed—20 to 2.

#### VOTE ON FINAL PASSAGE.

Ayes—Clark, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—20

Noes—Nebeker, Tolton—2

#### REPORT OF COMMITTEE ON CONFERENCE

Mr. Speaker:

The joint committee of the Council and House have agreed and named Monday, January 15th, as the day on



which the members of both Houses visit the Reform School at Ogden.

STANFORD,  
PIGMAN,  
House Committee.

On motion of Mr. Ivins, the vote heretofore taken fixing a date of visit to the Reform School was reconsidered and the report of Committee on Conference adopted.

On motion of Mr. Stoker it was ordered that when the House do adjourn it be until Tuesday, January 16th, 1894.

Speaker requested a leave of absence for Tuesday and Wednesday, January 16 and 17, 1894.

Mr. Varian moved to suspend Rule 7, and the Speaker be excused as requested, and that his duties be performed during his absence by such person as he may name.

Adoped unanimously.

The Speaker named Mr. Stanford.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 12, 1894.

Mr Speaker:

I am directed to inform your honorable body that the Council concurs in H. J. R. No. 3, permitting the "Utah World's Fair Exhibit" to be sent to the Midwinter Fair, and is returned herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received and sent to Committee on Enrollment.

#### THIRD READING OF BILLS—CONTINUED.

H. B. No. 10, by Pigman, A Bill for An Act to amend Compiled Laws, etc.

Reported favorably from Committee. Was read third time and passed unanimously and sent to Council for consideration.

At 5 p. m. the House, on motion of Mr. Tolton, adjourned until Tuesday, January 16, 1894.

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## NINTH DAY.

House of Representatives,  
Tuesday, January 16th, 1894.

House met pursuant to adjournment.  
Mr. Stanford, Speaker pro tem., in the chair.  
Roll call—22 members present.  
Messrs. Emery and Mason excused.  
Prayer by the Chaplain.  
Minutes of the fifth day read, corrected and approved.

### PRESENTATION OF PETITIONS.

H. P. No. 4, by Mr. Nebeker—Petition from County Court of Rich County, in reference to revenue.

Read first time by title and referred to Committee on Ways and Means.

H. C. No. 5, by Mr. Allen—Claim of H. G. McMillan, \$104.19.

Read first time by title and referred to Committee on Public Accounts.

H. C. No. 6, by Mr. Clark—Claim of H. W. Hawley, Sheriff of Millard County, for \$377.50.

Read first time by title and referred to Committee on Public Accounts.

Mr. Powers announced that on all political questions he was paired with Mr. Mason during that gentleman's absence.

## REPORT OF STANDING COMMITTEES

## ON ENROLLMENT.

Committee Room,  
January 16, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. R. No. 3, relating to the World's Fair Exhibit to be sent to the Midwinter Fair at San Francisco, Cal., beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day forwarded to the Governor for his official action thereon.

WARNER, Chairman.

Report received.

## JOINT COMMITTEE ON PRINTING.

Committee Rooms,  
January 16, 1894.

Mr. Speaker:

I have the honor to inform you that Mr. James B. Bloor has been selected by the Joint Committee on Public Printing as Public Printer, without pay, and we would respectfully recommend his appointment to that position.

Very respectfully,

E. W. TAYLOR,  
Chairman, Joint Committee on  
Public Printing.

Report received.

## ON JUDICIARY.

Judiciary Committee Room,  
January 16, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. Bills Nos. 11, 12 and 18, beg leave to report as follows: That H. B. No. 11 do pass; that H. B. No. 18 do pass; and H. B. No. 12 with amendment as follows: After the word "any" in line one (1), section one (1), insert "civil" or criminal," do pass as amended.

VARIAN, Chairman.

Report received.

## CONSIDERATION OF REPORTS OF COMMITTEES.

Mr. Powers moved to adopt the report of the Joint Committee on Public Printing.

Carried. Council notified.

Mr. Varian moved to adopt the amendment to H. B. No. 12, as recommended by the Committee on Judiciary.

Carried.

## FIRST READING OF BILLS.

The following House Bills read first and second times by title, under suspension of the rules, and referred.

H. B. No. 24, by Mr. Allen—A bill for an act to Establish Free Public Employment Offices.

Referred to Committee on Judiciary.

H. B. No. 25, by Mr. Allen (by request)—A bill to amend Sections 2303, 2304 and 2305, Compiled Laws, 1888, relating to Chattel Mortgages.

Referred to Committee on Judiciary.

H. B. No. 26, by Mr. Allen (by request)—To regulate the Recording of Title Notes or Evidence of Conditional Sale.

Referred to Committee on Judiciary.

H. B. No. 27, by Mr. Hatch (by request)—To encourage the Production of Canaigre, etc.

Read at length first time and second time by title.

Mr. Hatch moved to refer to Committee on Agriculture.

Mr. Varian moved to amend; to refer to Committee on Manufactures.

Amendment lost.

Motion to refer to Committee on Agriculture adopted.

H. B. No. 28, by Mr. Varian—An Act to secure Liens to Mechanics and others.

Referred to Committee on Judiciary.

H. B. No. 29, by Mr. Varian—A bill for amending Section 3144, 3145, Compiled Laws, 1888, relating to time for commencing Civil Actions, etc.

Referred to Committee on Judiciary.

H. B. No. 30, by Mr. Varian—A bill for an act Providing for Taxation of Debts secured by Mortgages and Trust Deeds.

Referred to Committee on Judiciary.

H. B. No. 31, by Mr. Johnson (by request)—A Bill for an act to Regulate the Practice of Medicine.

Referred to the Committee on Judiciary.

H. B. No. 32, by Mr. Sears—An act amending Section 2072, Chapter 13, Compiled Laws.

Referred to Committee on Judiciary.

## THIRD READING OF BILLS.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 12, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has passed H. J. M. No. 4, amended by inserting in line 8, after the word "silver," the words "and the threatened free trade legislation," and return the memorial and amendment herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Mr. Allen moved to not concur.  
Adopted unanimously.

H. B. No. 12, by Mr. Mason—A Bill for An Act Prohibiting Attorneys from Becoming Sureties, etc.

Read third time as amended, and on motion of Mr. Tolton adopted.

Vote on H. B. No. 12:

Ayes—Allen, Clark, Hatch, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Moore, Parsons, Pigman, Powers, Robertson, Sears, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Title approved.

H. B. No. 11, by Mr. Mason—A Bill to provide for liens to attorneys, etc.

On motion of Mr. Warner, the bill was laid over to be considered under the head of special order of business, on Monday, January 22d.

H. B. No. 18, by Mr. Powers—A Bill for An Act allowing stockholders to redeem stocks sold for assessment.

Mr. Varian moved to recommit.

Adopted unanimously.

## MISCELLANEOUS BUSINESS.

Territorial Insane Asylum,  
Provo City, Utah,  
January 15, 1894.

To the Governor and Legislative Assembly of Utah  
Territory:

Gentlemen:

At the direction of the Board of Directors of the Territorial Insane Asylum, I hereby invite your honorable body to visit and inspect this institution at such time as will suit your convenience.

Respectfully,

GEO. SUTHERLAND,  
President Board of Directors.

Mr. Tolton moved to accept invitation and refer to Committee on Insane Asylum, with instructions to confer with the like committee from the Council and decide on date of visit.

Adopted.

On motion of Mr. Pigman, the Sergeant-at-Arms was instructed to provide a map of Utah Territory, for the use of members.

On motion of Mr. Ivins, the Sergeant-at-Arms was instructed to furnish a good map of the United States.

On motion of Mr. Varian, the House adjourned at 4 o'clock p. m.

## TENTH DAY.

House of Representatives,

Wednesday, January 17, 1894.

House called to order at 2 p. m., Mr. Stanford, Speaker pro tem, in the Chair.

Roll call—Twenty-two members present.

Messrs. Emery and Mason excused.

Prayer by Chaplain.

Minutes of ninth day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. Claim No. 7, by Mr. Varian—claim of Messrs. Parks & Thompson for \$650.

Referred to Committee on Public Accounts.

H. Claim No. 8, by Mr. Varian—claim of Mr. B. B. Quinn for \$402.85.

Referred to Committee on Public Accounts.

H. Claim No. 9, by Mr. Warner—claim of W. W. Browning for \$19.

Referred to Committee on Public Accounts.

H. P. No. 5, by Mr. Sears (by request)—in the matter of Public Printing.

Read at length and referred to Committee on Printing.

## FIRST READING OF BILLS.

H. J. M. No. 12, by Mr. Varian—relating to the Uintah and Uncompahgre Reservations.

Read first and second times by title, under suspension of the rules, and referred to Committee on Memorials.

The following House Bills were read first and second times by title under suspension of the rules and referred:



H. B. No. 33, by Mr. Varian—A Bill for an Act to Aid in the Employment of Needy and Deserving Laborers.

Referred to Committee on Appropriations.

H. B. No. 34, by Mr. Allen—A Bill for an Act to Restore Control of Elections to County Courts.

Read at length and referred to Committee on Elections.

H. B. No. 35, by Mr. Tolton (by request)—Amending Section 2158, Compiled Laws of 1888, relating to Liquor License, etc.

Referred to Committee on Judiciary

H. B. No. 36, by Mr. Hatch (by request)—Relating to Practice of Medicine.

Referred to Committee on Public Health.

H. B. No. 37, by Mr. Hatch (by request)—An act Creating the County of Carbon.

Referred to Committee on Counties.

H. B. No. 38, by Mr. Monson—To secure Liens to Mechanics and others.

Referred to Committee on Judiciary.

H. B. No. 39, by Mr. Allen (by request)—A Bill for an Act creating the Utah Militia.

Referred to Committee on Militia.

H. B. No. 40, by Mr. Pigman (by request)—A Bill for an act Appointing an Inspector of Steam Boilers.

Referred to Committee on Manufacture and Commerce

On motion of Mr. Allen, the House adjourned at 2:45 p. m.

## ELEVENTH DAY.

House of Representatives,  
Thursday, January 18th, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—23 members present.

Mr. Mason excused.

Prayer by the Chaplain.

Minutes of the tenth day read, corrected and approved.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
January 17, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has passed, by a unanimous vote, H. J. M. No. 6, relating to the admission of Utah as a State in the Union of States, and that it is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and memorial sent to Committee on Enrollment.

Council Chamber,  
January 17th, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has amended H. B. No. 9, concerning contingent expenses, and passed the same as amended.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Mr. McBride moved to not concur.  
Adopted.

## COMMUNICATION FROM THE CHAMBER OF COMMERCE.

Chamber of Commerce,  
Salt Lake City,  
January 17, 1894.

To the Honorable Speaker and Members of the Lower House:

Gentlemen—I enclose herewith, for your consideration, a copy of preamble and resolutions which were unanimously adopted by the Board of Directors of the Salt Lake Chamber of Commerce at a meeting of that body held on the 13th inst.

Very respectfully,  
WILL SNYDER,  
Secretary.

WHEREAS, There is now pending in the Lower House of the Territorial Legislature, a Bill providing for the taxation of debts secured by mortgages and trust deeds on real and personal property; and

WHEREAS, The burden of such taxation would be borne, not by the local capitalists and money-loaners, but by the borrowing classes—the workingman who borrows sufficient funds wherewith to build a home and the enterprising citizen who is interested in the progress, development and uplifting of our Territory; and

WHEREAS, The enactment of such a law would be unjust to our citizens and injurious to Utah's interests, and would place the capital necessary to the development of our resources beyond the reach of our people, thereby prostrating our industries and retarding universal growth and prosperity; therefore, be it

*Resolved*, That the Board of Directors of the Salt Lake Chamber of Commerce, in behalf of the members of said chamber, enter our earnest protest against the passage of said bill; and be it further

*Resolved*, That a copy of these resolutions be forwarded

to His Excellency Caleb W. West, Governor of Utah, and the honorable members of the Territorial Legislature.

Mr. Sears moved to refer to Committee on Judiciary.  
Adopted.

COMMUNICATION FROM THE TRIBUNE.

Salt Lake City,  
January 12, 1894.

Hon. A. B. Emery, Speaker, Utah House of Representatives:

Dear Sir—The Tribune Company will take great pleasure in receiving the members and attachees of the House, at any time to suit their convenience, at the Tribune office, and show to them the Linotypes at work, on which the Tribune is printed.

You, Mr. Speaker, are likewise included in this invitation.

Respectfully,  
THE TRIBUNE COMPANY,  
Per C. C. GOODWIN.

Mr. Powers moved to accept with thanks.  
Adopted.

On motion of Mr. Varian, Monday evening, January 22d, was set for visit.

University of Utah,  
Salt Lake City,  
January 18, 1894.

To the Hon. A. B. Emery, Speaker of the House of Representatives, Legislature of Utah:

In behalf of the Faculty, I take pleasure in extending to the members of the House of Representatives an invitation to visit the University of Utah, either in a body or at the convenience of each member.

Very Respectfully,  
J. T. KINGSBURY,  
Acting President.

Mr. Stanford moved to accept with thanks, and time of visit be left to pleasure of members.

Adopted.

On motion of Mr. Stanford, the Clerk was instructed to acknowledge receipt of all invitations and the action of the House thereon.

#### PRESENTATION OF PETITIONS.

H. Claim No. 10, by Mr. Stoker—Claim from Morgan County, \$257.55.

Referred to Committee on Claims.

H. Claim No. 11, by Mr. Warner—Claim of R. S. Joyce, \$50.

Referred to Committee on Claims.

H. Claim No. 12, by Mr. Warner—Claim of A. S. Condon, \$50.

Referred to Committee on Claims.

H. Claim No. 13, by Mr. Allen—Claim of F. G. Lyngberg, \$40.

Referred to Committee on Claims.

H. Claim No. 14, by Mr. Allen—Claim of Vincent Shurtliff, \$12.30.

Referred to Committee on Claims.

H. Claim No. 15, by Mr. Allen—Claim of E. A. Wedgewood for \$23.15.

Referred to Committee on Elections.

H. Claim No. 16, by Mr. Varian—Claim of Sheriff of Salt Lake County for \$451.90.

Referred to Committee on Claims.

H. P. No. 6, by Mr. Hatch—Claim of Homer Fraughton, J. S. Murdock and C. C. Lee, asking remuneration for services.

Referred to Committee on Claims.

H. P. No. 7, by Mr. Powers—Petition of Salt Lake Typographical Union.

Referred to Committee on Printing.

## REPORT OF STANDING COMMITTEES.

House of Representatives,  
Committee Room,  
January 18, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts having duly considered sundry claims, beg leave to report as follows:

That House Claim No. 1, claimant, R. R. Tanner, for \$33, be allowed.

That House Claim No. 5, claimant, H. G. McMillan, for \$104.49, be allowed.

That House Claim No. 9, claimant, Browning Bros., for \$19, be allowed.

S. W. SEARS,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
January 18, 1894.,

Mr. Speaker:

Your Committee on Judiciary having duly considered House Bills Nos. 29 and 31, beg leave to report as follows:

That they recommend that House Bill No. 31 be referred to the Committee on Public Health.

That House Bill No. 29 do not pass.

VARIAN,  
Chairman of Committee.

Received:

Committee Room,  
January 18, 1894.

Mr. Speaker:

We, a majority of the Council Committee on Printing but a minority of the Joint Committee on Printing, ask to present a minority report on the matter of awarding the contract for public printing, and represent that in accord-

ance with a resolution of the Council, an advertisement was inserted in the papers soliciting proposals for the public printing, in answer to which six bids were received, numbered 1, 2, 3, 4, 5 and 6.

On opening the bids it was found that bids three and six were much below all others; that bid number five was accepted by the majority report, which was 13 per cent. higher than bid number three, and over 15 per cent. higher than bid number six. From the majority report we dissent.

Having solicited bids from the public, and parties having acted in good faith in offering their bids, we do not see how any discrimination can be made in favor of anyone, because of any conditions that may surround him. And further, as no sect, party or organization were barred from bidding, we claim it is very unfair to impose conditions upon them afterwards not contained in the advertisement.

We, therefore, recommend the award for the public printing be made to bidder No. six (6), for the following reasons:

1. That we believe he is amply prepared to do the work promptly, effectually and to the satisfaction of the Legislature.

2. That his proposed security is unexceptional and sufficient.

3. That the bid of No. 6 is \$9.70 per hundred pages of minutes less, and \$23.50 per hundred pages of pamphlets less than the bid of No. 5, recommended by the majority of this Joint Committee.

J. E. BOOTH,  
JOHN SEAMAN,

Mr. Powers moved to lay on table.

Adopted.

#### COMMITTEE ON ELECTIONS.

Committee Room,  
January 18, 1894.

Mr. Speaker:

Your Committee on Elections, to whom was referred the matter of the contest of Hugh M. Dougall for the seat in this house now held by Alexander Robertson under and



in virtue of a certificate of election issued by the Utah Commission, beg leave to report as follows:

Under agreement of counsel for the respective parties, a special commissioner, E. A. Wedgewood, Esq., of Provo, was appointed to take testimony at various places within the Eleventh and Twelfth Legislative Districts. This testimony, with other papers, was duly presented to the Committee, and after argument by counsel for the parties, the question was considered at length by your committee.

The parties agree, and the Committee finds, that Springville City and Springville Precinct have had, since September 4, 1883, until the formation of Mapleton Precinct, the same boundaries.

That Spanish Fork Precinct lay south and west of and contiguous to Springville Precinct up to the time when Mapleton Precinct was created.

That in 1891, the Utah Commission, in pursuance of law, re-districted the Territory of Utah for Legislative elections.

That Spanish Fork Precinct was assigned to the Twelfth Legislative District and Springville Precinct was assigned to the Eleventh Legislative District.

That in the year 1892, the county court of Utah County, wherein said precincts are situated, created a new precinct and named the same Mapleton. Said Mapleton Precinct was formed from territory lying within the afore-said Springville and Spanish Fork precincts, that is to say, of territory partially within the Eleventh Legislative District and partially within the Twelfth Legislative District. Thus the county court of Utah County re-districted the Territory of Utah for Legislative elections if the results following their said action be confirmed.

But there is no power granted County Courts for such a purpose. The law of Congress (Laws of 1890 and 1891, page 930) provides a method of districting the Territory, and expressly declares that the districts created thereunder shall stand until further provision be made by the Congress. This is the rule laid down by the paramount authority. This Legislature cannot change it, much less should that power be conceded to County Courts. If one such court can thus change the lines of Legislative Districts, all can.

This would open the way for a constant shifting of



Legislative District lines to suit the supposed exigencies of elections in close districts, many of which we have in this Territory.

We find that twenty-five votes counted, returned and canvassed as from the Eleventh District, were cast at the election in question by voters resident in the Territory, south of the line formerly dividing Spanish Fork and Springville precincts, said territory now being included within said Mapleton Precinct.

That said twenty-five votes were cast by voters living within the Twelfth Legislative District, and were without warrant of law cast, counted and returned as a part of the said Eleventh District.

That fifty-seven votes were cast within said Mapleton Precinct at said election, of which the contestant received 15 and the contestee received 42.

That contestant received as returned to and canvassed by the Utah Commission 856, and contestee 858 votes.

Your committee is of the opinion that the twenty-five ballots cast by parties residing within the Twelfth District should be thrown out and deducted from the total number received by the contestant and contestee in said Mapleton Precinct in proportion to the number of votes received by each in said precinct.

This would reduce the contestant's total vote in the District to 849, and the contestee's to 840.

We, therefore, recommend that Hugh M. Dougall be declared by this House entitled to sit as the duly elected Representative from the Eleventh District, and that his name be placed upon the Roll of the House as such Representative.

C. E. ALLEN, Chairman.

Report received.

House of Representatives,  
Committee Room,  
January 17, 1894.

Mr. Speaker:

Your Committee on Insane Asylum, having duly considered the matter of visiting the Insane Asylum at Provo, beg leave to report as follows:

That Saturday, the 27th of January, be fixed for the visit to the Insane Asylum at Provo, the Council Committee having agreed to the date named. Also that the Clerk of the House so inform the President of the Board of Directors of the Insane Asylum.

S. W. SEARS,  
Chairman of Committee.

Report received.

#### MAJORITY REPORT.

Committee Rooms,  
January 17th, 1894.

Mr. Speaker:

A majority of your Joint Committee on Public Printing, to whom was referred the several bids for Legislative Printing, beg leave to report that we have accepted the bid of the Salt Lake Lithographing Company.

E. W. TAYLOR, Chairman.  
M. K. PARSONS,  
S. G. PIGMAN,  
O. W. POWERS.

Report received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

Mr. Nebeker moved to refer the reports of Committees on Claims to Committee on Appropriation.

Adopted.

Mr. Varian moved to refer H. B. No. 31, to Committee on Public Health.

Adopted.

Mr. Parsons moved to lay majority report of Committee on Printing on table.

Adopted.

Mr. Allen moved to adopt the report of the Committee on Elections.

Carried—Vote 17 to 5.

Ayes—Allen, Clark, Hatch, Johnson, McBride, McKay, Monson, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—17.

Noes—Hubbard, Ivins, Moore, Nebeker, Tolton—5.

Mr. Powers explained his vote.

On motion, the Clerk was instructed to notify the Secretary of the Territory that the report of the Committee on Elections, seating Mr. Hugh M. Dougall had been adopted by the House and that Mr. Dougall was entitled to certificate of election.

Mr. Varian moved to lay majority and minority reports of Committee on Printing on the table.

Adopted.

#### FIRST AND SECOND READING OF BILLS.

The following House Bills were read the first and second time, by title, under suspension of the rules, and referred.

H. B. No. 41, by Mr. Varian—An Act amending Section 3099 of Compiled Laws of 1888.

Referred to Committee on Judiciary.

H. B. No. 42, by Mr. Stanford—To amend Section 22 of An Act approved 1892, relating to Payment of Jurors, etc.

Referred to Committee on Ways and Means.

H. B. No. 43, by Mr. Hatch—Repealing Chapter 19 of Session Laws of 1890, relating to Bounties on Destruction of Animals and Birds.

Referred to Committee on Ways and Means.

H. B. No. 44, by Mr. Stanford—Amending Chapter 76, Session Laws 1892, relating to School Laws.

Referred to Committee on Ways and Means.

H. B. No. 45, by Mr. Johnson (by request)—To amend Section 2264, Compiled Laws of 1888, and to amend Chapter 62, of Laws of 1892, relating to the Befouling of Waters.

Referred to Committee on Public Health.

H. B. No. 46, by Mr. Johnson—An Act to amend Section 2383, Compiled Laws of 1888, relating to Assessments.

Referred to Committee on Judiciary.

H. B. No. 47, by Mr. Wines—To provide Bounties to Raisers of Sugar Beets, etc.

Moved by Mr. Wines to read the first time at length, second time by title, under suspension of the rules, and refer to Committee on Manufacture.

Moved by Mr. Hubbard, to amend, to refer to Committee on Agriculture.

Amendment lost.

Vote on amendment.

Roll call.

Ayes—Hatch, Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Stoker, Tolton, Warner—10.

Noes—Allen, Clark, Johnson, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Wines, Mr. Speaker—12.

Original motion adopted.

On motion of Mr. Parsons the majority and minority reports of Committee on Public Printing were made the special order for Monday, January 22nd.

#### THIRD READING OF BILLS.

H. B. No. 29, by Mr. Varian (by request).  
Read at length and lost.

#### ROLL CALL ON H. B. NO. 29.

Ayes—0.

Noes—Allen, Clark, Hatch, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

## REPORTS.

Report No. 3, by Mr. Wines.

Report of Court Commissioner of First District.

Report received and referred to Committee on Judiciary.

Mr. Stoker moved that when the House adjourn it be until Monday, January 22, 1894.

Adopted.

On motion of Mr. Parsons, the House adjourned at 3:45 p. m.

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FIFTEENTH DAY.

Monday, January 22, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll called—All members present.

Prayer by Chaplain.

The Secretary of the Territory administered the oath of office to Hon. Hugh M. Dougall, who took his seat as a member of the House from the Eleventh Legislative District

Minutes of eleventh day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. Claim No. 17, by Mr. Nebeker—Claim of Deseret National Bank for Exchange on Coupons, on payment of Interest on Territorial Debts, \$56.24.

Referred to Committee on Claims.

H. Claim No. 18, by Mr. Pigman—Claim of H. Dinwoodey Furniture Co., for Furniture, etc., \$1,463.73.

Referred to Committee on Claims.

H. Claim No. 19, by Mr. Tolton—Claim of W. L. Cook, Clerk of the Second Judicial District, \$1,048.75.

Referred to Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

##### JUDICIARY.

House of Representatives,  
Committee Room,  
January 22, 1894.

Mr. Speaker:

A majority of your Committee on Judiciary having duly considered H. B. No. 35, Amending Section 2158 Compiled Laws of Utah, relating to Liquor Licenses, beg leave to report as follows: That in the opinion of the committee it is not wise to at this time interfere with general laws regulating liquor licenses, and therefore the committee recommends that the Bill be not passed.

Also H. B. No. 26, relative to Recording Title Notes or Evidences of Conditional Sales, is herewith reported with the recommendation that it do not pass. The committee are of the opinion that generally the purchaser of personal property can protect himself with the exercise of proper prudence and caution, and that the advantages—if any—to be gained by a law as proposed, are more than balanced by the many disadvantages and the heavy expenses to be imposed on vendors.

Messrs. Powers and Nebeker absent.

VARIAN,  
Chairman of Committee.

Report received.

House of Representatives,  
Committee Room,  
January, 22, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 41, An Act to Amend Section 3099 Compiled Laws of Utah, beg leave to report as follows:

That H. B. No. 41 be amended as follows: Insert

after the word "notes," in line six of the printed bill, "or so much thereof as the court may deem to be necessary," and that it do pass as amended.

VARIAN,  
Chairman of Committee.

Report received.

House of Representatives,  
Committee Room,  
January 22, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 46, An Act to Amend Section 2383, Compiled Laws of the Territory, beg leave to report as follows:

We recommend that it do pass.

VARIAN,  
Chairman of Committee.

Report received.

#### COMMITTEE ON LIVE STOCK.

House of Representatives,  
Committee Room,  
January 20, 1894.

Mr. Speaker:

Your Committee on Live Stock, having duly considered H. B. No. 22, beg leave to report as follows:

That they recommend that the said bill be referred to the Committee on Public Health.

A. C. HATCH,  
Chairman of Committee.

Report received.

#### COMMITTEE ON ELECTIONS.

House of Representatives,  
Committee Room,  
January 22, 1894.

Mr. Speaker:

Your Committee on Elections, having duly considered



H. B. No. 34, for an act to Restore the Control of Elections to the Respective County Courts of Utah, beg leave to report as follows:

We recommend the adoption of amendment herewith presented and the passage of the bill as thus amended.

C. E. ALLEN,  
Chairman of Committee.

Report received.

CONSIDERATION OF REPORTS OF COMMITTEES.

Mr. Tolton moved to adopt the report of Committee on Elections in relation to House Bill No. 34, relating to Control of Elections by County Courts.

Carried.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
January 22, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, an act entitled An Act to provide for the Payment of Additional Contingent Expenses of the Thirty-first Legislative Assembly of the Territory of Utah. Also, Joint Resolution to permit the World's Fair Exhibit to be sent to the Midwinter Fair at San Francisco, California. Also Joint Memorial and Resolutions to Congress relative to certain property of the Church of Jesus Christ of Latter-day Saints lately escheated to the Government of the United States.

I am, Sir, very respectfully,  
CALEB W. WEST,  
Governor.

Mr. Varian moved to adopt amendment to H. B. No. 41 as recommended by Committee on Judiciary.

Carried.



## INTRODUCTION AND FIRST READING OF BILLS.

The following H. Bills were read first and second time under suspension of the rules and referred.

H. B. No. 48, by Mr. Nebeker—A Bill for an act uniting the University of Utah and the Agricultural College of Utah, and to amend the laws providing for their organization and government.

Referred to Committee on Education.

H. B. No. 49, by Mr. Johnson—An Act to Amend section 17 of an Act to Provide for Leasing of School Lands and prescribing rules and regulations governing the same approved March 10th 1892

Referred to Committee on Education.

H. B. No. 50, by Mr. Powers—A Bill for An Act to provide for the payment of employees of corporations.

Read first time in full and placed on file for second reading.

H. B. No. 51, by Mr. Monson (by request)—A Bill for an Act giving City Councils power to elect one of its number to act as Mayor pro tem during the absence or disability of the Mayor.

Read first and second time under suspension of the rules and referred to Committee on Judiciary.

H. B. No. 52, by Mr. Hatch—A Bill for an Act Regulating the Locating and Recording of Mining Claims.

Bill read at length first time, second time by title, under suspension of the rules, and referred to Committee on Mines and Mining.

## SPECIAL ORDER.

H. B. No. 11—An Act Providing a Lien for Attorneys-at-law.

Mr. Warner moved to postpone indefinitely.

Motion lost—20 to 2.

Ayes—Hubbard, Warner—2

Noes—Allen, Clark, Dougall, Hatch, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Wines—20

Mr. Wines moved to amend as follows:

Strike out Section 3 and in lieu thereof the following:

The provisions of this Act shall only apply to cases where there is a written agreement between the attorney and his client in regard to compensation.

Sec. 4. This act shall take effect from and after its approval.

Adopted.

On motion of Mr. Ivins H. B. No. 11, passed as amended.

Vote—20 to 2.

ROLL CALL ON PASSAGE OF H. B. NO. 11 AS AMENDED.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Wines—20.

Noes—Monson, Warner—2.

#### REPORT OF COMMITTEE ON PRINTING.

Mr. Parson moved to adopt the majority report.

Mr. Hubbard moved to amend by substituting "minority" in place of "majority."

Amendment lost—15 to 8.

ROLL CALL ON MR. HUBBAR'S AMENDMENT AS TO MINORITY REPORT.

Ayes—Clark, Hubbard, Ivins, McBride, Monson, Moore, Stoker, Tolton—8.

Noes—Allen, Hatch, Johnson, Mason, McKay, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—15.

Mr. Dougall was excused from voting.

Motion to adopt majority report carried.

The Chair announced that Mr. Dougall would act on committees in place of Mr. Robertson.

#### COMMUNICATION FROM THE COUNCIL

Council Chamber,  
January 22, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. J. M. No. 4 has passed the Council—ayes, 10; noes, 1; absent, 1.

Enclosure, H. J. M. No. 4.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Memorial sent to Enrollment Committee.

#### MOTIONS AND RESOLUTIONS.

H. C. R. No. 3, by Mr. Tolton:

Resolved by the House, the Council concurring:

*Whereas*, There are now in the hands of the Auditor of Public Accounts approximately 1000 copies of the Compiled Laws of Utah, 1888, stored away without due cause and care; and

*Whereas*, There are many county and precinct officers within the Territory who are not supplied with copies of said laws; therefore be it

*Resolved*, That said Auditor of Public Accounts is hereby required to immediately transmit to the County Courts of the several counties freight prepaid, copies of

said Laws, pro rata, to the number of officers of said counties, first reserving a sufficient supply for State purposes.

Referred to Committee on Ways and Means.

House Resolution No. 11, by Mr. Sears:

*Resolved*, That the Committee on Claims and Public Accounts be increased from five to seven members, and

that Rule No. 28 be amended to conform to this resolution.

On motion of Mr. Sears, the resolution was adopted.

Vote unanimous.

H. R. No. 12, by Mr. Varian:

*Resolved*, That the Committee on Ways and Means be and it is hereby instructed to ascertain and report to this House, as soon as practicable, the amount of the Territorial debt outstanding, with estimates of the deficit, if any, for the past two years, together with estimates of amounts required for the maintaining of the public institutions and business during the next two years.

And that the said committee report upon the necessity of increasing the bonded debt of the Territory, and to what extent, if at all.

And that the said committee also report as to the probable revenues for the next two years from taxation, with such suggestions as it may deem proper and the exigencies of the case may require.

On motion of Mr. Varian, the resolution was adopted unanimously.

On motion of Mr. Tolton, the House adjourned at 5:35 p. m.

## SIXTEENTH DAY.

House of Representatives,  
Tuesday, January 23, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—All members present.

Prayer by the Chaplain.

Minutes of fifteenth day read, corrected and approved.

Complying with H. R. No. 11, by Mr. Sears, the Chair appointed on the Committee on Claims and Public Accounts Messrs. Nebeker and Johnson.

## INVITATION FROM SUGAR FACTORY.

Honorable Ira D. Wines:

Dear Sir:—Please extend an invitation in our name to the members of the Legislature to visit our factory at the time that they visit the Insane Asylum at Provo. Arrangements could be made to hold the train long enough.

Yours truly,

THOMAS R. CUTLER,  
Manager.

On motion of Mr. Wines the invitation was received with thanks and the committee of arrangements instructed to arrange, if possible, to stop over and visit the Factory.

## PRESENTATION OF PETITIONS.

H. C. No. 20, by Mr. Johnson (by request)—claim of ex-collector of Sanpete County, \$23.12.

Referred to Committee on Claims.

H. P. No. 8, by Mr. Ivins—Protest of Citizens of San Juan County against changing of boundary lines.

Referred to Committee on Counties.

H. P. No. 9, by Mr. Hatch—Petition of Anthony Koerner and others in relation to the practice of medicine.

Referred to Committee on Public Health.

H. P. No. 10, by Mr. Wines—Relating to Bounty on Sugar Beets.

Read at length.

Mr. Powers moved to refer to Committee on Agriculture and Irrigation.

Mr. Stanford moved to amend; to refer to Committee on Manufacture.

Adopted—17 to 6.

Original motion as amended carried.

ROLL CALL ON AMENDMENT OF MR. STANFORD AS TO H. P. NO. 10

Ayes—Allen, Clark, Dougall, Ivins, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—17.

Noes—Hubbard, Monson, Moore, Nebeker, Powers, Tolton—6.

INVITATION FROM BRIGHAM YOUNG ACADEMY.

Provo,

January 22, 1894.

To the Honorable the Speaker and Members of the House of Representatives of the Utah Legislature:

Gentlemen—Learning that you intend visiting our city Saturday, January 27th, we cordially invite you to visit the Brigham Young Academy at any time convenient to you during the day.

Most respectfully yours,

G. H. BRIMHALL,

JAMES B. KEELER,

Assistant Principals in Charge.

Invitation accepted with thanks, and time of visit left to pleasure of members.

Mr. Allen presented the following communication:

Murray, Salt Lake County, Utah,  
January 20, 1894.

Hon. C. E. Allen:

Dear Sir—Permit me to call your attention to a condition of things that, in my opinion, is deserving of consideration. I refer to the matter of costs for criminal cases in justices' courts. Experience has shown that in a great majority of this class of cases, the defendants have nothing that can be collected in payment of costs, the county courts have refused to pay the bills when presented and the Territorial officials have informed us that no appropriation has been made for such cases. Consequently, the justices, constables, jurors and witnesses have been compelled to give their services without pay.

I therefore respectfully ask you to introduce some measure that will provide for the past expenses of this class of cases, and that will either remove criminal actions from the jurisdiction of justices' courts or provide adequate compensation therefor.

I am, very truly yours,  
T. W. RUSSEL.

Referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES.

#### REPORTS FROM COMMITTEE ON JUDICIARY.

House of Representatives,  
Committee Room,  
January 23, 1894.

Mr. Speaker:

Your Committee on Judiciary, having had under consideration House Bills No. 5, entitled "A bill for an act fixing the time for the redemption of real property sold at forced sale," and No. 19, entitled "A bill for an act to amend Section 3474, Chapter III, Title IX, of the Compiled Laws of Utah of 1888, relating to real actions," beg leave to report as follows:



The question of the power of the Legislature to extend the time for redemption in cases of mortgages now existing, and to grant a right of redemption in cases of trust deeds heretofore executed, has been carefully considered, and the conclusion of the committee is that such authority cannot be lawfully exercised.

As to mortgages, it is believed, that an extension of the right of redemption, as proposed by H. B. No. 5, and in argument before your committee, from six to fourteen months, would so materially affect the obligation of the contract, through the restricting of the remedy, as to render the legislation void.

As to trust deeds, the proposition would seem to be still more clear under the principles laid down by the Supreme Court of the United States in a series of cases. It has been suggested, that, as these last named instruments are not authorized by any statute, but are supported by decisions of the courts, directly or indirectly recognizing them, they would not be within the principle or reason of the rule.

The committee does not concur in this view. The system of giving and taking security through trust deeds has prevailed here for many years. Recognized in many ways in the decisions of the court, the system has become a rule in real property law, firmly imbedded in our jurisprudence. A trust deed is a contract, as much so as if authorized by express statute. Hundreds of thousands of dollars have been loaned to our people upon such securities in good faith and in reliance on their efficacy and force. To burden them with additional restrictions and limitations, even if lawfully authorized so to do, would in the judgment of the committee, be unjust. But no doubt is entertained on this question. The Legislature has not the power. While it is true the inhibition of the Constitution against laws impairing the obligation of contracts, in terms applies only to States, it is believed that all courts, by a just and rational construction, would make the application to Territories as well.

Therefore, the committee recommends that H. B. No. 5 do not pass.

In addition to the foregoing objections, which are applicable also to H. B. No. 19, it may be observed that no sufficient reason appears why trust deeds should be required



to be foreclosed in a court of chancery. The result would be to destroy their peculiar efficacy, and their use as loan securities would be abandoned. The committee is not prepared to say that this result is desirable. It would seem preferable to leave the matter as it is at present, *i. e.*, to the borrower and lender to determine for themselves the kind of security suitable to the necessities of the case. The recommendation, therefore, is, also, as to H. B. No. 19, that it do not pass.

But, the committee is of opinion that the statutory right of redemption should be extended to twelve months in all future cases, and that trust deeds should not be exempted, and herewith report a bill expressing that view, entitled "An act fixing the time for the redemption of real property sold on execution, foreclosure or trust deed sales," with the recommendation that it do pass.

VARIAN,  
Chairman of Committee.

Report received.

Committee Rooms,  
January 23, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 13, entitled "An act amending Section 2032, Sub-section 21, Chapter 10, R. S. Utah, 1888," beg leave to report said Bill with a substitute therefor, entitled, "H. B. No. 54, A Bill for An Act Amending Section 2032, Sub-section 21 of Chapter 10, Compiled Laws of Utah, 1888," with the recommendation that the substitute do pass.

VARIAN,  
Chairman of Committee.

Received.

Representatives' Hall,  
Committee Room,  
January 23, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 23, An Act Amending Sec. 4, Chapter 23, Session

Laws of 1892, relating to Assessments, beg leave to report as follows:

That it be referred to the Committee on Ways and Means.

Also House Bill 51, An Act giving City Councils Power to Elect One of Its Number to Act as Mayor pro tem., during the Absence or Disability of the Mayor.

We recommend that it do pass.

VARIAN,  
Chairman of Committee.

Received.

#### INSANE ASYLUM.

Committee Room,  
January, 23, 1894.

Mr. Speaker:

Your committee on Insane Asylum having in hand the transportation of the House to Provo, beg leave to report as follows:

That arrangements have been made with Mr. J. H. Bennett, Passenger Agent of the Rio Grande Western Railway Company, to leave the depot at Salt Lake City at 8 a. m. on Saturday, January 27th.

The Council Committee on Insane Asylum have made a similar report to the Council this day.

S. W. SEARS,  
Chairman of Committee.

Received.

#### WAYS AND MEANS.

House of Representatives,  
Committee Room,  
January 23, 1894.

Mr. Speaker:

Your Committee on Ways and Means, having duly considered the Petition of the County Court of Rich County, beg leave to report as follows:

We have provided a measure of relief for said peti-

tioners by A Bill to Amend the Revenue Law, which we herewith submit for the action of the House, and ask that the Petition and Bill be read.

STANFORD,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
January 23, 1894.

Mr. Speaker:

Your Committee on Ways and Means having duly considered H. B. No. 42, relating to Payment of Jurors, etc., beg leave to report as follows:

That the same do pass.

STANFORD,  
Chairman of Committee.

Received.

#### ON ENROLLMENT.

House of Representatives,  
Committee Room,  
January 23, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 6, relating to Statehood, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

Mr. Varian moved to lay House Bills Nos. 5 and 19 on the table.

Adopted.

Mr. Varian presented H. B. No. 53 as a substitute for H. Bills No. 5 and 19, An Act fixing the time for Redemption of Real Properties, etc., and moved to read first and second times by title under suspension of rules and place on file for third reading.

Adopted.

Mr. Varian presented H. B. No. 54 as substitute for H. B. No. 13, An Act Amending Section 2032, Sub-section 21 of Chapter X, Compiled Laws, 1888, and moved to read first and second times by title, under suspension of rules, and print.

Adopted.

On motion of Mr. Stanford, H. B. No. 42, relating to Payment of Jurors' Fees, etc., be placed on file for third reading.

Adopted.

H. B. No. 55, by Mr. Stanford, amending Section 2008, Compiled Laws, as amended in Session Laws of 1890, Chapter 40, relating to Revenue, etc.

On motion of Mr. Stanford, the bill was read the first time by title, second time in full, under suspension of the rules, and placed on file for third reading.

On motion the report of the Committee on Asylum for the Insane was adopted.

#### COMMUNICATIONS FROM THE COUNCIL

Council Chamber,  
January 22, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. B. No. 10 has been rejected by the Council.

Enclosure H. B. No. 10.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
January 23, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has received and accepted an invitation to visit the Brigham Young academy at Provo on the 27th inst.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

#### READING OF BILLS.

H. B. No. 56, by Mr. Johnson (by request)—An Act to Protect the raising of Sheep, the Wool, Cattle and Farming Industries, etc.

Referred to Committee on Live Stock.

H. B. No. 57, by Mr. Warner—A Bill for an act to Amend Sec. 1., of chapter XXX, of the Session Laws of 1892 entitled an act to protect employees and Laborers in their claim for wages.

Referred to Committee on Judiciary.

H. B. No. 58, by Mr. Tolton—A Bill for an act to amend Chapter XI, of the Session Laws of 1890, relating to Herding and Branding of Cattle.

Referred to Committee on Live Stock.

Mr. Varian moved to amend the House Rules by making Rule 11 read, Messages from the Governor, Messages from Council, and that the following numbers be changed seriatim.

Adopted unanimously.

#### SECOND READING OF BILLS.

H. B. No. 50, by Mr. Powers—A Bill for An Act to Provide Payment of Employees of Corporations.

Referred to Committee on Corporations.

## THIRD READING OF BILLS.

H. B. No. 26, by Mr. Allen (by request)—Relating to Recording of Title Notes or Evidence of Conditional Sales.  
Bill lost—vote unanimous.

## ROLL CALL ON H. B. 26.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.  
Ayes—0.

H. B. No. 34, by Mr. Allen—A Bill for an Act to restore the Control of Elections to County Courts

On motion of Mr. Allen the consideration of Bill 34 was made special order for January 24, 1894.

H. B. No. 35, by Mr. Tolton (by request)—Relating to Liquor Licenses.

Lost—vote 22.

## ROLL CALL ON H. B. 35.

Noes—Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

Absent—Allen.

H. B. No. 41, by Mr. Varian—Amending Section 3099, of the Compiled Laws of Utah of 1888.

Bill as amended passed. Title approved.

## ROLL CALL, PASSAGE OF H. B. NO. 41.

Ayes—Allen, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker,

Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

Not voting—Clark.

Mr. Allen gave notice he would to-morrow, January 24th, move for reconsideration of vote on H. B. No. 11.

H. B. No. 46, by Mr. Johnson—A bill for an act entitled to amend Section 2383 of the Compiled Laws of Utah in relation to assessments.

Bill passed—20 to 2.

Title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 46.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, McBride, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Noes—Hatch, Mason—2.

Not voting—Clark.

McKay—Excused.

On motion of Mr. Allen, the House adjourned at 3:30.

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#### SEVENTEENTH DAY.

House of Representatives,  
Wednesday, January 24, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll called—All members present.

Prayer by Chaplain.

Minutes of sixteenth day read, corrected and approved.



## PRESENTATION OF PETITIONS.

H. Claim No. 21, by Mr. Dougall—claim of Don C. Huntington of \$6 for jury service.

Referred to Committee on Claims.

H. P. No. 11, by Mr. Stoker—Petition of Morgan County Court for \$2,000.

Referred to Committee on Appropriation.

H. P. No. 12, by Mr. Tolton—Claim of C. P. Bird for \$30.90 for payment of Territorial warrants.

Referred to Committee on Claims.

H. Claim No. 22, by Mr. Nebeker—Claim of the County Clerk of Rich County for \$325.40.

Referred to Committee on Claims.

H. Claim No. 23, by Mr. Allen—Claim of Salt Lake Lithographing Company for \$453.40.

Referred to Committee on Claims.

H. P. No. 13, by Mr. Allen—Petition of Utah Association of Charities and Correction.

Referred to Committee on Education.

H. P. No. 14, by Mr. Powers—Petition of Cornelia Paddock in behalf of the Association of Charities and Correction.

Referred to Committee on Education.

H. Claim No. 24, by Mr. Ivins—Claim of Garfield County for criminal expenses, \$1,571 19.

Referred to Committee on Claims.

## COMMUNICATION FROM MR. A. H. CANNON.

Presented by Mr. Powers.

Committee Room,  
January 24, 1894.

Mr. Speaker:

We herewith submit "copy" of a letter that we received



to-day from Mr. A. H. Cannon of the *Deseret News*, for your consideration.

Respectfully,  
E. W. TAYLOR,  
Chairman Joint Committee on Printing.

Office of Deseret News Publishing Company.

Mesers. Taylor and Parsons, Chairmen of the Committee on Printing of the Thirty-first Session of the Utah Legislature:

Gentlemen—I very much appreciated your call for printing bids, and submitted my proposition in the full belief that the work was to be awarded to the lowest responsible bidder. Becoming convinced, however, that it is the determination of some members of the Legislative Printing Committee to place the work in certain hands, regardless of fairness and economy, I withdraw my bid.

Whenever the gentlemen, either as individuals or a committee, desire work done in a style second to none in the West, at reasonable figures, and by men whose homes and families are here, and whose labors have helped to make it possible for some members of the present Legislature to live here, I will be pleased to render them the service desired.

Yours, etc.,  
[Signed] A. H. CANNON.

(Copy.)

Referred to Committee on Printing.

COMMUNICATION FROM THE AUDITOR.

Territory of Utah,  
Auditor's Office,  
Salt Lake City,  
January, 23, 1894.

To the Hon. A. B. Emery, Speaker of the House of Representatives:

Sir:—In accordance with the provisions of section 96, page 276, Volume I, of Compiled Laws of Utah Territory, 1888, I have the honor to transmit herewith the financial

statements for the year 1892, of the following counties, as the same have been filed in my office:

Box Elder, Davis, Emery, Grand, Iron, Juab, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, Sanpete, Uintah, Utah, Wasatch, Washington, Wayne and Weber.

The following counties failed to report for 1892:

Beaver, Cache, Garfield, Kane, Summit, Sevier and Tooele.

Very respectfully,

JOHN T. CAINE,

Auditor of Public Accounts for Utah Territory.

By CHARLES A. CAINE.

#### REPORTS OF STANDING COMMITTEES.

#### MEMORIALS—MAJORITY REPORT.

House of Representatives,  
Committee Room,  
January 24, 1894.

Mr. Speaker:

Your Committee on Memorials having duly considered House Joint Memorial No. 5, relative to protective duties on wool, beg leave to report as follows:

We recommend the adoption of an amendment proposed by the committee and presented herewith, and the passage of the memorial as thus amended. We recommend that House Joint Memorials No. 1 and No. 2 lie upon the table, as the subject matter therein has been acted upon by this House.

ALLEN,  
Chairman of Committee.

Received.

#### COMMITTEE ON EDUCATION.

House of Representatives,  
Committee Room,  
January 24, 1894.

Mr Speaker:

Your Committee on Education having duly considered

House Bill No. 49, for an act entitled an act to amend Section 17 of an act to provide for leasing school lands and prescribing rules and regulations governing the same, approved March 10, 1892, beg leave to report as follows:

We recommend that the bill do not pass, because the funds arising from lease of such lands are properly Territorial funds, and should go to the Territorial school fund as now provided.

ALLEN,  
Chairman of Committee.

Received.

COMMITTEE ON JUDICIARY.

House of Representatives,  
Committee Room,  
January 24, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 32, An Act amending Section 2072, Chapter XIII, Compiled Laws of Utah of 1888, in relation to Highways, beg leave to report as follows:

We recommend that it do not pass, but that the substitute herewith reported in lieu thereof do pass.

VARIAN,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
January 24, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 15, An Act Creating the office of Watermaster, etc., beg leave to report as follows:

We recommend that it be referred to the Committee on Agriculture and Irrigation.

Also that H. B. No. 25, relating to Chattel Mortgages do not pass.

VARIAN,  
Chairman of Committee.

Received.

## ON MANUFACTURES.

House of Representatives,  
Committee Room,  
January 24, 1894.

Mr. Speaker:

Your Committee on Manufacture and Commerce having duly considered H. B. No. 40, for An Act establishing the office of Inspector of Steam Boilers, etc., beg leave to report as follows:

That in the opinion of the Committee the necessity for this act is not so pressing or urgent as to warrant the creation of a new office, nor to justify the appropriation of the large sum proposed. In the present condition of the finances of the Territory we do not think it prudent to make the expenditures proposed, and therefore recommend that the bill do not pass.

VARIAN,  
Chairman of Committee.

Received.

## PUBLIC HEALTH.

House of Representatives,  
Committee Room,  
January 23, 1894.

Mr. Speaker:

Your Committee on Public Health having duly considered House Bills Nos. 36 and 45, beg leave to report as follows:

We recommend that H. B. No. 36 do not pass.

We recommend that H. B. No. 45 do not pass.

WINES,  
Chairman of Committee.

Received.

## CONSIDERATION OF REPORTS OF COMMITTEES.

Mr. Allen moved to suspend the rules and receive a minority report of Committee on Memorials.

Adopted, and report, presented by Mr. Nebeker, read as follows:

Mr. Speaker:

The undersigned respectfully presents to the House that he dissents from the report of a majority of the committee to whom was referred H. J. M. No. 5, "A memorial to Congress relative to protective duties on wool."

The reasons for this position on my part are briefly as follows:

First—That this memorial does not represent the sentiments of a majority of the people of Utah; and that the fourth, fifth, eighth, and ninth lines particularly are not true. While as a whole the memorial is partisan biased, and not founded on the facts in the case.

Second—There is said to be no argument equal to an existing fact, and this being the case, we have a potent argument for the removal of the wool tariff altogether. At this time wool is lower in the market than at any time since the war, and an attempt to show that this is the result of threatened, rather than existing legislation is not logical. For more than three years the country has had one of the highest, and most proscriptive duties on wool that the civilized world has ever known; and the result, I claim, has been that our manufacturers have been unable to compete with foreigners in any line of woolen goods requiring admixture of fibers. They could not compete, because in paying the excessive rates of duties they were compelled to attach them to the cost to the purchaser, with the effect of so advancing the prices of such goods that a majority of the people could no longer afford to buy them; without customers, the manufacturers could not continue business; and with diminished custom they were compelled to diminish products correspondingly, the natural effect of which was to curtail purchases of domestic wools for want of the foreign article for mixing with them. With a weakened market necessarily came weakened prices; and hence we see one of the reasons why wool has steadily fallen and may not have touched bottom yet. It is more than a coincidence that wool began to fall with the adoption of the McKinley bill, and that the maintenance and enforcement of its exclusive and apprehensive measure have

continued the shrinkage in values; it is an argument whose premises are the antithesis of the memorial to which this relates, showing beyond dispute to any reasonable mind that the result of a high tariff upon raw materials, of which we do not produce enough in either quantity, quality, or variety, is simply a blow to domestic industry to which such measure relates. When we had free wool we had higher prices; a little more than three years of high tariff have all but ruined the wool market and would have cut down the sheep industry generally but for reasons which I here enumerate.

The business of sheep growing is one of the most profitable. The sheep, of all animals of a domestic nature, requires the least care and expense. It does not need to be fed, or housed; two men whose entire cost in Utah does not exceed one hundred (\$100,00) dollars per month, can take care of several thousand head of sheep, so gregarious are they, and so easily transferred from point to point. Their presence is indeed a menace to our other animals, for the reason that they leave nothing behind them of food value. The losses in the business are comparatively trifling. They increase at a rate which alone would make them the most profitable animate property, and all things considered, are a paying investment even with wool at the depressed price to which it has been brought by the McKinley bill. It is a truism and visible fact that there are no poor sheep owners who make a business of sheep raising.

Why then burden the country with useless oppression at their dictation, when they are so few in number, and after all, are standing in their own light?

Mr. Speaker, let the subject be dealt with, not in the light of rank partisanship, with the hope of securing political capital for future campaigns, but in the light of broad statesmanship and accomplished facts, having in view the greatest good for the largest number.

Let all the people, the sheep owners and wool dealers included, be taken in full consideration, and all receive impartial treatment. In opposing the memorial I aim at this, and this only, and I am sure I voice the sentiments of



a vast majority of the people of this grand and growing commonwealth.

Respectfully submitted,  
AQUILA NEBEKER,  
Of the Committee on Memorials.

Mr. Varian moved that the amendment to H. J. M. No. 5, as recommended by the Committee on Memorials, be adopted.

Carried.

H. B. No. 59, by Mr. Varian—A Substitute for H. B. No. 32—An Act Amending Chapter 50, of the Laws of 1890, entitled An Act Concerning the Laying Out and Platting of Towns.

Read first time by title and ordered printed.

On motion of Mr. Varian, H. B. No. 32 was laid on the table.

On motion of Mr. Varian, H. B. No. 15 was referred to the Committee on Agriculture and Irrigation.

#### INTRODUCTION AND FIRST READING OF BILLS.

The following H. Bills read first and second times by title, under suspension of rules, and referred:

H. B. No. 60, by Mr. Powers (by request)—An act in relation to the exemption of personal property for wages of laborer or servant.

Referred to Committee on Judiciary.

H. B. No. 61, by Mr. Stanford (by request)—A bill for an act to regulate the practice of medicine in Utah Territory.

Referred to Committee on Public Health.

H. B. No. 62, by Mr. Wines—A bill for an act to amend Chapter LXXX, Article X, Section 78, Session Laws of 1892, entitled "An act to provide for a uniform system of free schools."

Read at length first time, second time by title under suspension of the rules and referred to Committee on Education.

H. B. No. 63, by Mr. Allen (by request)—An Act to Provide for the Education of Blind Children.

Referred to the Committee on Education.

H. B. No. 64, by Mr. Powers—Relating to the Practice of Attorneys before Courts of this Territory, etc.

Read first time in full, second time by title, under suspension of rules, and referred to Committee on Judiciary.

H. B. No. 65, by Mr. McBride (by request)—An Act to Provide for the Better Preservation of the Mining Records of the Territory of Utah.

Referred to the Committee on Mines and Mining.

H. B. No. 66, by Mr. Hubbard—An Act Amending the Act Entitled "An Act Creating a Territorial Board of Equalization for the Equalization of Assessment for taxes, &c.

Referred to Committee on Judiciary.

#### SPECIAL ORDER OF THE DAY.

H. B. No. 34, by Mr. Allen—A Bill for An Act to Restore the Control of Elections to County Courts, etc.

Bill read in full the third time.

Mr. Powers offered an amendment.

Mr. Varian raised the point of order that the amendment offered proposed to strike out collectively, every section of the bill on passage, and insert in lieu thereof a new bill by way of substitute and that it was not in order at this stage of the proceedings to receive such a substitute.

The Chair sustained the point of order.

Mr. Powers appealed from this decision.

Appeal sustained by a vote of 12 to 11.

#### ROLL CALL ON DECISION OF THE CHAIR ON POINT OF ORDER BY MR. VARIAN.

Ayes—Allen, Clark, Johnson, Mason, McBride, McKay, Sears, Stanford, Varian, Warner, Wines—11.

Noes—Dougall, Hatch, Hubbard, Ivins, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stoker, Tolton—12.



Amendment lost—16 to 8.

VOTE ON MR. POWERS' AMENDMENT.

Ayes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Stoker, Tolton—8.

Noes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—16.

Bill passed—16 to 8.

Title approved.

ROLL CALL ON PASSAGE OF HOUSE BILL NO. 34, BY MR. ALLEN

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—16.

Noes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Stoker, Tolton—8.

Mr. Powers announced he would introduce to-morrow a Resolution Relating to Privileges of Members on the Floor.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,  
Executive Office,  
Salt Lake City,  
January 24, 1894,

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir:—I have this day approved and filed in the Office of the Secretary of the Territory a Memorial to the Congress of the United States relating to Statehood.

I am, sir, very respectfully,

CALEB W. WEST,  
Governor.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 24, 1894.

Mr. Speaker:

I am directed to inform your honorable body that in the matter of H. B. No. 9, relating to an appropriation of \$2,000 for contingent expenses, the Council has appointed Councilors Taylor and Adams to confer with any committee that you may appoint for that purpose.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

In compliance with the above Council Communication the Chair named Messrs. Johnson and Nebeker as the House Conference Committee.

The Chair named Mr. Stoker of Davis County to succeed Mr. Dougall on the Committee on Manufactures and Commerce.

On motion of Mr. Varian, the House adjourned at 5:45 p. m.

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EIGHTEENTH DAY.

House of Representatives,  
Thursday, January 25, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll called—All members present.

Prayer by Chaplain.

Minutes of seventeenth day read, corrected and approved.

## INVITATION FROM SCHOOL FOR THE DEAF.

Salt Lake City,  
January 24, 1894.

To the Members of the Thirty-first General Assembly of  
the Territory of Utah:

Gentlemen:

You are cordially invited to attend an exhibition showing the methods of teaching and the results attained in the Utah School for the Deaf, Friday Evening, January 26.

Very respectfully,  
F. N. METCALF,  
Superintendent.

On motion of Mr. Johnson the invitation was accepted with thanks.

## COMMUNICATION FROM DRUM CORPS.

Salt Lake City,  
January 25, 1894.

To the Legislative Assembly:

Gentlemen:

We, the members of the Lincoln Republican Drum Corps, do tender our services, free gratis to Your Honorable Body for this Legislative term, on any and all occasions.

LEVI AXTELL, President,  
J. J. HEFFERNEN, Vice-President,  
R. BYON, Financial Secretary,  
Committee.

P. S. If services required, please give twenty-four hours' notice.

On motion of Mr. Allen, the offer was accepted with thanks, and the Clerk instructed to reply.

## REPORTS OF STANDING COMMITTEES.

## ON ENROLLMENT.

House of Representatives,  
Committee Room,  
January 25, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 4, relating to "Coinage of Silver," beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

A. J. WARNER,  
Chairman of Committee.

Received.

## ON COUNTIES.

House of Representatives,  
Committee Room,  
January 25, 1894.

Mr. Speaker:

Your Committee on Counties having duly considered H. B. No. 37, creating the county of Carbon, beg leave to report as follows:

That with amendments as follows: After the word "Kimball," in line 2 of Section 3, the words "of Scofield" be inserted, and that the word "May" be substitute for the word "April," in line 5 of Section 3, it do pass as amended.

McKAY,  
Chairman of Committee.

Received.

## WAYS AND MEANS.

House of Representatives,  
Committee Room,  
January 25, 1894.

Mr. Speaker:

Your Committee on Ways and Means have duly considered H. B. No. 44, relating to School Lands.

Also H. B. No. 23, relating to Assessments, and herewith submit amendments to both bills, and on the adoption of said amendments ask that said bills do pass.

STANFORD.

Chairman of Committee.

Received.

JUDICIARY.

House of Representatives,  
Committee Room,  
January 25, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 57, an act to amend Section 1, Chapter 30, of the Session Laws of 1892, etc., beg leave to report as follows:

We recommend that it do not pass.

ALLEN,

Acting Chairman of Committee.

Received.

HOUSE JOINT COMMITTEE ON CONFERENCE.

House of Representatives,  
Committee Room,  
January 25, 1894.

Mr. Speaker:

Your Committee on Conference, to whom was referred H. B. No. 9, relating to an appropriation of \$2,000 for contingent expenses, beg leave to report that we have met a like committee from the Legislative Council, and have agreed to recommend the adoption of the said bill as passed by the House of Representatives.

Respectfully,

JACOB JOHNSON, Chairman.

Report received.

UNFINISHED BUSINESS.

H. J. M. No. 5, by Mr. Varian—Relating to Tariff on Wool, etc.

On motion of Mr. Allen the memorial was made a special order of business for Friday, January 26, 1894.

On motion of Mr. Varian, H. J. Memorials Nos. 1 and 2 were laid on the table.

With the consent of the House, Mr. Varian presented H. Claim No. 25, claim of Andrew J. Burt, Sheriff of Salt Lake County, for \$3,978.

Referred to Committee on Claims.

#### INTRODUCTION AND FIRST READING OF BILLS.

The following House Bills were read first and second times by title under suspension of the rules and referred:

H. B. No. 67, by Mr. Hubbard (by request)—A Bill for An Act for Prevention of Scab and Other Diseases among Sheep.

Referred to Committee on Live Stock.

H. B. No. 68, by Mr. Varian (by request)—An Act to Protect Fruit Trees and Vines, etc.

Referred to Committee on Agriculture and Irrigation.

H. B. No. 69, by Mr. Varian (by request)—An Act to Create and Establish a Territorial Board of Horticulture.

Referred to Committee on Agriculture and Irrigation.

H. B. No. 70, by Mr. Varian (by request)—An Act to Prevent the Spreading of Fruit and Fruit Tree Pests and Diseases, etc.

Referred to Committee on Agriculture and Irrigation.

H. B. No. 71, by Mr Powers (by request) A Bill for An Act to amend sections 2374 and 2393 of Compiled Laws of Utah of 1888, relating to Private Corporations

Referred to Committee on Private Corporations.

H. R. No. 13, by Mr. Powers:

*Resolved*, That whenever any roll call is ordered, but before the call shall ensue, any member before casting his vote shall desire information upon the subject matter before

the House, may ask any proper question of the Chairman of the Committee having the matter in charge by arising and respectfully addressing the Chair and stating his question.

Referred to Committee on Rules.

H. R. No. 14, by Mr. Hubbard:

Whereas, The laws of the Territory, 1892, page 21, section 6, provide that the Territorial Board of Equalization shall assess and value all property in the Territory of Utah, owned by railroad, railway, depot, telegraph and telephone companies; and

Whereas, A large body of grant lands belonging to the Central Pacific Railroad Company in this county, but not pertaining to the operation of their railway is thus assessed by said Territorial Board; and

Whereas, Said tracts of grant lands belonging to other corporations and individuals are assessed by the Assessor of this county; and

Whereas, Large bodies of grant lands belonging to other corporations and individuals are assessed by the Assessor of this county; and

Whereas, Said tracts of grant lands belonging to said Central Pacific Railroad Company, and said tracts belonging to said other corporations and to individuals are all scattered over all parts of Box Elder County, and differ greatly in value one piece from another; and

Whereas, This manner of assessment of such lands, partly by said Territorial Board and partly by the Assessor of this county, leads to numerous errors in omissions in land and double assessments, and also to great injustice in values of the same: and

Whereas, We believe the Assessor of this County is better prepared with maps, statistics, general and personal information to make a correct and even, fair and just assessment of all such land; and

Whereas, We believe also the County Court of this County, for the same reasons, is better prepared to make a fair and just equalization of said land, each piece with the other, and with all surrounding lands; therefore, be it

*Resolved*, That our Representatives to the Legislature of this Territory be requested to present to said Legislature



a suitable bill for the amendment of said Act of 1892 to provide for the assessment of all grant lands, belonging to railway companies (but not used immediately or pertaining to the operation of their railways) as well as other corporations, by the County Assessors of the several counties in which such grant lands are situated; and be it further

*Resolved*, That a copy of this resolution be presented to the several county courts of this Territory for their consideration and co-operation.

Territory of Utah, }  
County of Box Elder. } ss.

I, Oleen N. Stohl, County Clerk of Box Elder County, Territory of Utah, do hereby certify that the above and foregoing is a full, true and correct copy of a resolution as passed by the County Court of Box Elder County, on the 2d day of January, 1894.

In witness whereof, I have hereunto set my hand and affixed the seal of said Box Elder County, this 3d day of January, 1894.

OLEEN N. STOHL,  
County Clerk of Box Elder County.

[Seal.]

At a regular meeting held by the County Court of Salt Lake County, Utah Territory, on the 8th day of January, A. D. 1894, the following resolution was adopted:

Whereas, The Laws of the Territory, 1892, page 21, Section 6. provide that the Territorial Board of Equalization shall assess and value all property in the Territory of Utah, owned by railroad, railway, depot, telegraph and telephone companies; and,

Whereas, a large body of grant lands belonging to railroad corporations in the several counties in this Territory, but not pertaining to the operation of their railway is thus assessed by said Territorial Board; and,

Whereas, Large bodies of grant lands belonging to other corporations and individuals are assessed by the Assessors of the several counties; and,

Whereas, Said tracts of grant lands belonging to said railway corporations and said tracts belonging to said other corporations and individuals are all scattered over all parts



of said county and differ greatly in value, one piece from another; and,

Whereas, This manner of assessment of such land partly by said Territorial Board and partly by the Assessors of the several counties leads to numerous errors in omissions in land and double assessments, and also to great injustice in values of the same; and,

Whereas, We believe the Assessors of the several counties are better prepared with maps, statistics, general and personal information to make a correct and even, fair and just assessment of all such lands; and,

Whereas, We believe also the county courts of the several counties for the same reason are better prepared to make a fair and just equalization of said land, each piece with the other and with all surrounding lands; therefore be it

*Resolved*, That our Representative to the Legislature of this Territory be requested to present to said Legislature a suitable bill for the amendment of said Act of 1892, to Provide for the Assessment of all Grant Lands belonging to railway companies (but not used immediately or pertaining to the operation of their railway), as well as other Corporations by the County Assessors of the several counties in which such grant lands are situated.

[Seal]

H. V. MELOY.

Referred to Committee on Judiciary.

H. R. No. 15, by Mr. Stanford:

*Resolved*, That the Chief Clerk of the House is hereby authorized to write to the several county courts throughout the Territory and request that they report immediately to this Assembly whether or not they have complied with the requirements of the Session Laws of 1892, Chapter 72, Relating to School Lands. Those counties which have done so, to report further, the number of acres of said school lands in their respective counties, the number of acres leased, and the amount of revenue derived therefrom the past two years, and those counties which have not responded to the requirements of the law be asked to state their reasons for not doing so.

On motion of Mr. Stanford, the resolution was adopted.

## THIRD READING OF BILLS.

H. B. No. 42, by Mr. Varian—Relating to the Payment of Jurors, etc.

The bill passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 42.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

H. B. No. 51, by Mr. Monson (by request)—relating to powers of City Councils.

Bill passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 51.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

H. B. No. 53, by Judiciary Committee—A substitute for H. Bills Nos. 5 and 19, an act fixing time for redemption of real property, etc.

Mr. Sears moved to amend by striking out the word “twelve” and inserting the word “six” before “months.”

Amendment lost—18 to 5.

## ROLL CALL ON AMENDMENT TO H. B. 53 BY MR. SEARS.

Ayes—Nebeker, Pigman, Sears, Stoker, Tolton—5.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Powers, Stanford, Varian, Warner, Wines—18.

Bill passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 53.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines—22.

Noes—Sears—1.

Following H. Bills were laid on table subject to call.

H. B. No. 54, by Committee on Judiciary—A substitute for H. B. No. 13, a bill for an act to amend Section 2032, Sub-section 21, Chapter X, Compiled Laws, 1888.

H. B. No. 55, by Mr. Stanford—A bill for an act amending Section 2008, Compiled Laws, relating to revenue.

H. B. No. 59, by Committee—Substitute for H. B. No. 32, an act amending Chapter 50, Laws of 1890, relating to laying out and platting of towns.

H. B. No. 49, by Mr. Johnson—An act to amend Section 17 of an act to provide for leasing school lands.

The bill, with amendment of Mr. Tolton, was recommitted.

H. B. No. 25, by Mr. Allen (by request)—An act to amend Sections 2803, 2804 and 2805 Compiled Laws of 1888, relating to chattle mortgages, etc.

Bill lost—22 to 1.

## ROLL CALL ON PASSAGE OF H. B. NO. 25.

Ayes—Warner—1.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Wines—22.

H. B. No. 40, by Mr. Pigman—Relating to appointment of boiler inspector.

On motion of Mr. Pigman the bill was recommitted.

Vote—15 to 8.

## ROLL CALL TO RECOMMIT H. B. NO. 40.

Ayes—Allen, Clark, Johnson, Mason, McBride, McKay, Monson, Nebeker, Parson, Pigman, Sears, Stanford, Stoker, Varian, Warner—15.

Noes—Dougall, Hatch, Hubbard, Ivins, Moore, Powers, Tolton, Wines—8.

H. B. No. 36, by Mr. Hatch—A Bill for An Act Relating to Practice of Medicine.

Bill lost—23 to 0.

## ROLL CALL ON PASSAGE OF H. B. NO. 36.

Ayes—0.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—23.

Absent—Varian.

H. B. No. 45, by Mr. Johnson (by request)—An Act to Amend the Compiled Laws relating to the Befouling of Waters.

Bill lost—23 to 0.

## ROLL CALL ON PASSAGE OF H. B. NO. 45.

Ayes—0.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—23.

Absent—Varian.

## COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH

Executive Office,

January 25, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of

the Secretary of the Territory the Memorial to the Congress of the United States referring to Coinage of Silver.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

On motion of Mr. Warner, the House adjourned at 5 p. m.

## NINETEENTH DAY.

House of Representatives,  
Friday, January 26, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—All members present.

Prayer by the Chaplain.

Minutes of eighteenth day read, corrected and approved

### PRESENTATION OF PETITIONS.

H. P. No. 15, by Mr. Tolton—Petition of W. L. Cook, Clerk of Second District Court, relating to salary.

Referred to Committee on Ways and Means.

H. P. No. 16, by Mr. Clark—Petition of Citizens of Sevier County, Relating to Sugar Bounty.

Referred to Committee on Manufacture.

H. P. No. 17, by Mr. Wines—Petition of Utah County Relating to Assessments.

Referred to Committee on Judiciary.

H. P. No. 18, by Mr. Wines—Petition of Utah County Court, Relating to Fishing.

Referred to Committee on Fish and Game.

## INTRODUCTION AND FIRST READING OF BILLS.

The following House Bills read first and second times by title, under suspension of rules and referred.

H. B. No. 72, by Mr. Clark (by request)—Relating to Practice of Medicine

Referred to Committee on Public Health.

H. B. No. 73, by Mr. Ivins (by request)—An Act Amending Section 2, of An Act entitled "An Act to Prevent Cruelty to Animals," approved March 5, 1888.

Referred to Committee on Fish and Game.

H. B. No. 74, by Mr. Warner—An Act entitled, "An Act for the Levying, Assessment, Collecting and Disbursement of Public Revenue."

Referred to Committee on Ways and Means.

## SPECIAL ORDER

H. J. M. No. 5, by Mr. Varian—Relating to Duty on Wool.

After lengthy debate, the hour for adjournment having arrived, the final consideration of Memorial postponed until Monday, January 29th.

With the consent of the House, Mr. Powers, offered the following:

*Resolved*, That the Speaker appoint a special committee of two members from this House to confer with such committee as may be appointed by the Council to confer and report upon the subject of public printing.

Adopted.

Chair named as such committee, Messrs. Nebeker and Sears.

On motion of Mr. Stanford, House adjourned at 6:10 p. m.

## TWENTY-SECOND DAY.

House of Representatives,  
Monday, January 29, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll called—Quorum present.

Prayer by Chaplain.

Minutes of the nineteenth day read, corrected and approved.

H. J. M. No. 5, by Mr. Varian—Relating to Tariff on Wool.

Adopted by a vote of 16 to 6. Two absent.

## ROLL CALL ON H. J. M. NO. 5.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—16.

Noes—Hubbard, Ivins, Moore, Nebeker, Stoker, Tolton—6.

Absent—Monson, Powers—2.

Title approved and memorial sent to Council.

## CONSIDERATION OF PETITIONS.

H. P. No. 19, by Mr. Parsons—Petition of S. H. Conley for services as Sealer of Weights and Measures.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## COMMITTEE ON ENROLLMENT.

House of Representatives,  
Committee Room,  
January 29, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred



H. J. M. No. 9, in Relation to Bounty on Sugar, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

A. J. WARNER,  
Chairman of Committee.

Received.

COMMITTEE ON COUNTIES.

House of Representatives,  
Committee Room,  
January 29, 1894.

Mr Speaker:

Your Committee on Counties, having duly considered House Bill No. 16, beg leave to report as follows:

For reason of small revenue of San Juan County at the present time, your committee does not think that there would be, after the division asked for, a sufficient amount of taxable property in the remaining portion of San Juan County to support a county government.

Therefore, we recommend that said bill do not pass.

McKAY,  
Chairman of Committee.

Received.

COMMITTEE ON JUDICIARY.

House of Representatives,  
Committee Room,  
January 29, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 24, An Act to Establish Free Public Employment Offices, beg leave to report as follows:

That they recommend that it do pass.

Also H. B. No. 30, An Act Providing for the Taxation of Debts secured by Mortgages and Trust Deeds.

They recommend that it do pass.

VARIAN,  
Chairman of Committee.

Received.



House of Representatives,  
Committee Room,  
January 29, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 64, An Act Relating to the Practice of Attorneys, etc., beg leave to report as follows:

That they recommend the following amendment: Strike out the word "thereof," in line eleven, and all of line twelve in the printed bill and insert in lieu thereof: "therein until there be a judge, commissioner, or justice qualified to hear said cause presiding in the court, or transfer the cause to some other competent tribunal."

And that it do pass as amended.

VARIAN,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
January 29, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 66, An Act amending the Act entitled, "An Act Creating a Territorial Board of Equalization," etc., also H. P. No. 17, and H. R. No. 14, beg leave to report as follows:

They recommend that they be referred to the Committee on Ways and Means.

VARIAN,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Varian, H. B. No. 66, H. P. No. 17, and H. R. No. 14, were referred to Committee on Ways and Means.

On motion of Mr. Varian, the amendment reported by Judiciary Committee to H. B. No. 64, was adopted.

## INTRODUCTION AND FIRST READING OF BILLS.

The following Memorial and H. Bills read first and second times by title under suspension of rules and referred:

H. J. M. No. 13, by Mr. Varian—Relating to Surveying of Coal Lands in Utah Territory.

Referred to Committee on Memorials.

H. B. No. 75, by Mr. Allen—Relating to Appointment of Women on Certain Territorial Boards.

Read at length first time, second time by title, and referred to Committee on Judiciary.

H. B. No. 75, by Mr. McBride (by request)—An Act to Amend Session Laws, 1892, Relating to County Boards of Examiners.

Referred to Committee on Education.

H. B. No. 77, by Mr. Tolton—A Bill for An Act to Amend Section 5455, Chapter III, Compiled Laws, 1888, Relating to Fees of the Secretary of Utah.

Referred to Committee on Ways and Means.

H. B. No. 78, by Mr. Hatch—A Bill for An Act Amending Sections 410 and 570 of the Code of Civil Procedure of Utah Territory.

Referred to Committee on Judiciary.

H. B. No. 79, by Mr. Ivins—A Bill for An Act to Secure Landlords for Rents, and Providing for a Lien on Personal Property of Tenants.

Referred to Committee on Judiciary.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
January 23, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has passed H. J. M. No. 9. Ayes 7. Noes 5.

Enclosure H. J. M. No. 9.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
January 26, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. J. M. No. 3, Relating to the Passage of the proposed Wilson Tariff Bill by Congress has been passed by the Council. Ayes 7. Noes 5.

Enclosure H. J. M. No. 3.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

Council Chamber,  
January 26, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has appointed Councilors H. E. Booth and C. N. Lund, a committee to confer with a like committee from the House on the Subject of "Public Printing."

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

#### THIRD READING OF BILLS.

H. B. No. 23, by Mr. McBride—An Act Amending Session Laws of 1892, Relating to Assessments.

Mr. Nebeker moved to lay on the table.

Adopted.

H. B. No. 37, by Mr. Hatch (by request)—A Bill for An Act Creating the County of Carbon, etc.

Mr. Pigman offered an Amendment.

Bill as amended passed. Vote—21 to 2.

Title approved.

#### ROLL CALL ON PASSAGE OF H. B. No. 37.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebe-

ker, Parsons, Powers, Sears, Stanford, Stoker, Tolton, Warner Wines—21.

Noes—Pigman, Varian—2.

H. B. No. 44, by Mr. Stanford—An Act Amending Chapter 76, Session Laws of 1892, Relating to Leasing of School Lands.

Bill as amended passed. Vote—21 to 1.

Title approved.

ROLL CALL ON PASSAGE OF H. B. No. 44 AS AMENDED.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines—21.

Noes—Johnson—1.

Absent—Nebeker—1

H. B. No. 57, by Mr. Warner—An Act to Amend Section 1, of Chapter 30, Laws of 1892, to protect Employees and Laborers in their Claim for Wages, etc.

Bill lost. Vote 22 to 1.

ROLL CALL ON PASSAGE OF H. B. No. 57.

Ayes—Warner—1.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Wines—22.

Mr. Powers requested that, as Mr. Monson and himself were absent when the vote was taken on H. J. M. No. 5, they desired to be recorded as voting against its passage.

So ordered.

On motion of Mr. Pigman, the House adjourned at 4:25 p. m.

## TWENTY-THIRD DAY.

House of Representatives,  
Tuesday, January 30, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll called—Quorum present.

Prayer by Chaplain.

Minutes of twenty-second day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. Claim No. 26, by Mr. Varian—Claim of W. M. McCarty, Assistant U. S. District Attorney, in Second Judicial District, for docket fees, etc., \$630.

Referred to Committee on Claims.

H. P. No. 20, by Mr. Ivins—Petition of citizens of Washington County relating to Practice of Medicine.

Referred to Committee on Public Health.

H. Claim No. 27, by Mr. Hatch—Claims of David N. Murdock and Elisha Jones for service in capturing criminals, amounting to \$190.

Referred to Committee on Claims.

H. Claim No. 28, by Mr. Warner—Claim of Weber County for expense of correcting maps and plats for Assessor, \$1,289.35.

Referred to Committee on Claims.

H. P. No. 21, by Mr. Tolton—Petition of residents of Beaver County, relating to Roads.

Referred to Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES.

## COMMITTEE ON ENROLLMENT.

House of Representatives,  
Committee Room,  
January 30, 1894.

Mr. Speaker:

Your Committee on enrollment, to whom was referred H. J. M. No. 6, Relating to the Admission of Utah into the Union as a State, and H. J. M. No. 3, referring to the Wilson Tariff Bill and its effect upon Mining of Lead, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

A. J. WARNER,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
January 30, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 9, Relating to the Remonetization of Silver, beg leave to report that the same has been correctly enrolled signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

A. J. WARNER,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
Monday, January 30, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 9, An Act making Appropriation for Contingent

Expenses of the Thirty-First Session of the Utah Legislature, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

A. J. WARNER,  
Chairman of Committee.

Received.

COMMITTEE ON LIVE STOCK.

Committee Room,  
January 30, 1894.

Mr. Speaker:

Your Committee on Live Stock, having duly considered H. B. No. 8, by Mr. Johnson, a Bill for An Act to amend An Act entitled, "An Act Providing for the Disposal of Estray Animals and for Trespass and Damage," approved March 10, 1892, and to repeal Sections 6 to 14, inclusive, of said Act, beg leave to report as follows:

We recommend that said bill be amended as follows:

First—Amend Line 15, Section 1, at the end thereof by adding, "number of miles traveled, number of hours employed in making appraisement."

Second—Amend Section 1 by inserting after the words "brand sheet," in Line 20, the words "in the possession of the constable."

Third—Amend Section 3, in Line 11, by striking out the final "s" in the word "parts;" also, in Line 15 of said Section strike out the final "s" in the word "cases."

Fourth—Amend Section 5 by inserting after the word "sale" and before the word "if," in Line 5, "together with a reasonable compensation for the care and keeping of said animal."

Fifth—Amend Section 6 by striking out the word "school," in Line 2.

Sixth—Amend Section 9 by striking out the word "them" in line——and inserting the word "it" in lieu thereof.

Amend Section 2 by striking out the word "district" in line 4, and insert the word "precinct" in lieu thereof.



With the said amendments the majority of your committee recommend that H. B. No. 8 do pass.

A. C. HATCH,  
Chairman.

#### REPORTS OF SELECT COMMITTEES.

##### JOINT COMMITTEE ON PRINTING.

Committee Room,  
January 29, 1894.

Mr. Speaker:

Your Committee (Joint) on Public Printing, to whom was referred the four (4) communications hereto attached, beg leave to report that we have considered the same and recommend that they be laid on the table.

E. W. TAYLOR, Chairman.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Johnson, the amendments to H. B. No. 8, recommended by Committee on Live Stock, were adopted.

On motion of Mr. Varian the communications reported by the Joint Committee on Printing were laid on the table.

#### THIRD READING OF BILLS.

H. B. No. 16, by Mr. Hatch (by request)—A Bill for an Act Attaching a part of San Juan County to Grand County.  
Bill lost—21 to 0.  
Absent—3.

#### ROLL CALL ON PASSAGE OF H. B. NO. 16.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Powers, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—Pigman, Sears, Varian—3.

H. B. No. 24, by Mr. Allen—A Bill for an Act to Establish Free Public Employment Offices.

Bill as amended, passed—20 to 1.

Title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 24.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines—21.

Noes—Hatch—1.

Absent—Sears—1.

H. B. No. 30, by Mr. Varian—Relating to Taxation of Mortgages, &c.

On motion of Mr. Varian, consideration of H. B. No. 30, was made the special order for 3 o'clock p. m. Wednesday, January 31st.

H. B. No. 64, by Mr. Powers—A Bill for an Act Relating to Practice of Attorneys Before Courts of Utah Territory.

Bill as amended passed—23 to 0.

Title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 64.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

Noes—0.

Absent—Sears—1.

\* On motion of Mr. Varian, H. B. No. 59, Relating to Platting of Towns, was taken from the table and placed on file for third reading January 31st.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
January 29, 1894.

Mr. Speaker:

I am directed to inform your honorable body that C. B. No. 28, Relating to the Time For Courts to Charge Juries, has passed the Council and is forwarded herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received and bill placed on file for first reading.

Council Chamber,  
January 29, 1894.

Mr. Speaker:

I am directed to inform your honorable body that C. B. No. 19, relating to the Code of Civil Procedure and amending section 3207 Compiled Laws of 1888, has passed the Council and is herewith transmitted.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received and bill placed on file for first Reading.

Council Chamber,  
January 29, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has passed C. B. No. 8, Relating to the Compensation of Justices of the Peace, etc., as amended; also C. B. No. 26, Relating to the Form of School Bonds, as amended, both of which are transmitted herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received and Council Bills Nos. 8 and 26 placed on file for first reading.

On motion of Mr. Varian, the House adjourned at 3:15 p. m.

## TWENTY FOURTH DAY.

House of Representatives,  
Wednesday, January 31, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Mr. Sears was excused for absence on January 30.

Prayer by the Chaplain.

Minutes of twenty-third day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. P. No. 22, by Mr. Allen—Petition of Board of Education of Provo City.

Referred to Committee on Education.

H. Claim No. 29, by Mr. Warner—Claim of James H. Lewis for \$1.00, for witness fees.

Referred to Committee on Claims.

H. Claim No. 30, by Mr. Clark (by request)—Claim of Sheriff of Sevier County, for \$141.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## COMMITTEE ON MEMORIALS.

House of Representatives,  
Committee Room,  
January 31, 1894.

Mr. Speaker:

Your Committee on Memorials having duly considered House Joint Memorial No. 13, relating to the

Survey of Coal Lands in Utah Territory, beg leave to report as follows:

We recommend that the Memorial do pass.

ALLEN,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
January 31, 1894.

Mr. Speaker:

Your Committee on Memorials having duly considered House Joint Memorial No. 11, relating to the Uintah and Uncompaghre Indian Reservations beg leave to report as follows:

We recommend that the amendments proposed by the committee and presented herewith be adopted and that the Memorial as thus amended do pass.

We also recommend that House Joint Memorial No. 12 lie upon the table, as it relates to the same subject matter as House Joint Memorial No. 11.

ALLEN,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Allen, H. J. M. No. 12 was laid on the table.

On motion of Mr. Allen, the amendments to Memorial No. 11, as recommended by the Committee on Memorials, were adopted.

#### PRESENTATION AND FIRST READING OF BILLS.

Following Bills read first and second times, under suspension of rules, and referred:

H. B. No. 80, by Mr. Powers (by request)—Providing for Protection of Fish and Game.

Referred to Committee on Fish and Game.

H. B. No. 81, by Mr. Johnson (by request)—A Bill to Repeal An Act Approved March 10, 1892, relating to the Practice of Medicine.

Referred to Committee on Public Health.

Under suspension of the rules, Mr. Wines presented the following resolution and petition:

H. R. No. 16, by Mr. Wines:

*Resolved*, That hereafter no bills be introduced in this House "by request."

Referred to Committee on Rules.

H. P. No. 20, by Mr. Wines—Petition of Residents of Washington County, relating to Practice of Medicine.

Referred to Committee on Public Health.

The following Council Bills were read first and second times by title, under suspension of the Rules, and referred:

C. B. No. 8, by Mr. H. E. Booth (substitute)—An Act to Amend Compiled Laws of 1888, relating to Election of Justices of the Peace in Cities.

Referred to Committee on Judiciary.

C. B. No. 19, by Mr. Williams—An Act Amending An Act Revising the Code of Civil Procedure, approved March 13, 1884, being Section 3207 of the Compiled Laws of 1888.

Referred to Committee on Judiciary.

C. B. No. 26, by Mr. Williams—An Act to Amend Session Laws of 1892, relating to Uniform System of Free Schools.

Referred to Committee on Education.

C. B. No. 28, by Mr. Breeden—An Act Amending Compiled Laws, relating to Civil Procedure, etc.

Referred to Committee on Judiciary.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 30, 1894.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has passed C. B. No. 12, as amended by interlineation therein, that said act relates to the Guardianship of Minor Children.

Enclosure C. B. No. 12.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received and placed on file for first reading.

#### THIRD READING OF BILLS.

H. B. No. 59, by Judiciary Committee—A Substitute for H. B. No. 32, An Act Amending Chapter L, Laws of 1890, relating to Platting of Towns, etc.

While under discussion, 3 o'clock—the hour for Special Order—having arrived, the House delayed action on Bill 59 and proceeded with the consideration of H. B. No. 30.

#### SPECIAL ORDER.

H. B. No. 30, by Mr. Varian—Relating to Taxation of Debts Secured by Mortgages.

Mr. Sears moved to lay on table and make special order for Wednesday, February 7th.

Lost.

Before final disposition of the bill the House adjourned at 4:45 p. m. on motion of Mr. Varian.

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#### TWENTY-FIFTH DAY.

House of Representatives,  
Thursday, February 1, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll called—Quorum present.

Prayer by Chaplain.

Minutes of the twenty-fourth day read, corrected and approved.



COMMUNICATION FROM THE "WASATKA" MINERAL SPRINGS CO.

Salt Lake City, Utah,  
January 30, 1894.

To the Hon. Speaker and Members, House of Representatives,  
Salt Lake City:

Gentlemen:

Please accept, with the compliments of the Wasatka Mineral Springs Company, a case of mineral water, bottled directly from a spring located within the limits of this city.

Very Respectfully,  
JOHN C. SHIPP,  
Secretary.

On motion of Mr. Tolton the gift was accepted with thanks.

On motion of Mr. Powers, the matter of error in Reports of Enrollment Committee, made January 30th, was referred to Enrollment Committee.

SPECIAL ORDER.

H. B. No. 30, by Mr. Varian—Relating to Taxation of Debts Secured by Mortgages.

On motion of Mr. Sears the bill was laid on the table and made Special Order for Wednesday, February 7th, at three o'clock p. m.

H. B. No. 59, by Judiciary Committee—A Substitute for H. B. No. 32, An Act Amending Chapter L, Laws of 1890, Relating to Platting of Towns.

Mr. Sears moved to strike out the enacting clause.

. Lost 6 to 16.

ROLL CALL TO STRIKE OUT ENACTING CLAUSE OF H. B.  
NO. 59.

Ayes—Ivins, Nebeker, Parsons, Sears, Stanford, Tolton—6

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Johnson, Mason, McBride, McKay, Monson, Moore, Pigman, Stoker, Varian, Warner, Wines—16.

Absent—Powers—1.

Bill passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. No. 59.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Pigman, Stanford, Stoker, Varian, Warner, Wines—18.

Noes—Nebeker, Parsons, Sears, Tolton—4.

Absent—Powers—1.

## PRESENTATION OF PETITIONS.

H. P. No. 23, by Mr. Clark—Petition of citizens of Sevier County relating to Roads.

Referred to Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES.

## EDUCATION.

House of Representatives,  
Committee Room,  
February 1, 1894.

Mr. Speaker:

Your Committee on Education, having duly considered Council Bill No. 26, relating to Validating certain School Bonds issued under provision of Chapter 80, Laws of 1892, beg leave to report as follows:

We recommend that the bill do pass.

ALLEN,  
Chairman of Committee.

Received.

## JUDICIARY.

House of Representatives,  
Committee Room,  
January 31, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 78, An Act amending Sections 410 and 570 of the

Code of Civil Procedure of Utah Territory, beg leave to report as follows:

They recommend that it do not pass.

Also H. B. No. 75, An Act Providing for the Appointment of Women upon certain Territorial Boards:

They recommend that it do pass.

VARIAN,

Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
February 1, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 14, beg leave to report the same with a recommendation of a majority of the Committee that it do pass.

Also that Council Bill No. 28, "An Act to amend Section 3360, Compiled Laws of Utah, of 1888, the same being Section 482 of the Code of Civil Procedure, and for other purposes," do not pass.

Also that Council Bill No. 8 (substitute), "To amend An Act entitled 'An Act to amend Sections 1761, 1790 and 1791, Compiled Laws of Utah of 1888, relating to the election of Justices of the Peace in Cities,'" do pass.

VARIAN,

Chairman of Committee.

Received.

#### RULES.

House of Representatives,  
Committee Room,  
February 1, 1894.

Mr. Speaker:

Your Committee on Rules, having duly considered H. R. No. 13, relating to rules, beg leave to report the same back with the following amendment to Rule Five (5), as a substitute therefor:

"But any member may explain his vote or ask for information concerning the matter pending while the vote is being taken."

JOHNSON,  
Chairman of Committee.

Received.

JOINT CONFERENCE COMMITTEE ON PUBLIC PRINTING.

Committee Room,  
February 1, 1894.

Mr. Speaker:

A majority of your Joint Conference Committee on Public Printing, having had the matter referred to us under consideration, beg leave to report that we are in favor of the majority report of the Standing Committee on Public Printing heretofore made.

H. E. BOOTH, Chairman.  
NEBEKER.  
SEARS.

On motion of Mr. Tolton, the report was adopted.

CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Johnson, the amendment to H. R. No. 13, recommended by Committee on Rules was adopted.

FIRST READING OF BILLS.

The following Bills were read first and second times by title under suspension of the rules and referred:

H. B. No. 82, by Mr. Stoker (by request)—An Act to Promote the Science of Medicine and Surgery.

Read first time at length, second time by title and referred to Committee on Public Health.

H. B. No. 83, by Mr. Clark—A Bill for An Act to Encourage the Building of Reservoirs and Reclamation of Desert Lands.

Referred to Committee on Agriculture and Irrigation.

H. B. No. 84, by Mr. Clark—A Bill for An Act to Amend Sections 11 and 13, Chapter LXII, of Session Laws 1892, relating to University Lands.

Referred to Committee on Judiciary.

H. B. No. 85, by Mr. Parsons—A Bill for An Act Creating an Irrigation Commission.

Referred to Committee on Agriculture and Irrigation.

C. B. No. 12, by Mr. Taylor—To Amend Chapter 13, Volume II, of the Compiled Laws of 1888, entitled Procedures of Probate Courts in the settlement of Estates and in Guardianship.

Referred to Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

Resolution by Mr. McBride:

*Resolved*, That the Chief Clerk of the House be and he is hereby authorized to hire a Docket Clerk for the remaining days of the session, at a compensation of four (\$4) dollars per day, to be paid out of the Contingent Expense fund.

CHARLES R. McBRIDE,  
A. J. WARNER,  
H. M. DOUGALL,  
Committee on Contingent Expenses.

On motion of Mr. Powers, the resolution was adopted.

#### COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,  
Executive Office,  
Salt Lake City,  
February 1, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, "An Act to Provide for

the Payment of Contingent Expenses of the Thirty-first Session of the Legislative Assembly of the Territory of Utah.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
January 31, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. B. No. 12, "Prohibiting Practicing Attorneys-at-Laws from Becoming Sureties," etc., as amended by the House and by the Council, has passed that body and is herewith returned.

Ayes—7.

Noes—4.

Absent—1.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 1, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council respectfully asks for a joint session to-morrow at 3 o'clock p. m. to consider and pass upon the matter of the employment of a "Public Printer," and requests that it may be advised of your pleasure in the premises.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

On motion of Mr. Allen the House agreed to meet Council in joint session at 3 p. m., February 2nd, to consider the question of Public Printer.

Council notified.

Mr. Varian was excused temporarily.

On motion of Mr. Nebeker the Council amendment to the body of H. B. No. 12 was adopted and the Council notified.

On motion of Mr. Tolton the Council amendment to title of H. B. No. 12 was not concurred in.

Council notified.

#### THIRD READING OF BILLS.

H. B. No. 8, by Mr. Johnson—Relating to disposal of Estray Animals, and for Trespass and Damage, etc.

Bill as amended passed—22 to 0.

Title approved.

#### ROLL CALL ON PASSAGE OF H. B. No. 8.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines—22.

Noes—0.

Excused—Varian.

H. J. M. No. 11, by Mr. Parsons—Relating to Uintah and Uncompahgre Indian Reservations.

Memorial as amended passed—24 to 0.

Title approved.

#### ROLL CALL ON PASSAGE OF H. J. M. NO. 11.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.



H. J. M. No. 13, by Mr. Varian—Relating to Surveying Coal Lands in Utah Territory.

Memorial passed—24 to 0.

Title approved.

ROLL CALL ON PASSAGE OF H. J. M. No. 13.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
February 1, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. B. No. 42, Relating to the payment of Jurors, etc., and H. B. No. 46, Relating "to assessments," have been amended, the amendments attached to the respective bills, and as amended have both passed the Council, and are herewith transmitted.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion of Mr. Tolton the House adjourned at 4:30 p. m.

## TWENTY-SIXTH DAY.

House of Representatives,  
Friday, February 2, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of twenty-fifth day read, corrected and approved.

On motion of Mr. Tolton, the Clerk was instructed to note, and count as present, members coming in after roll call, without necessity of special request by them.

## PRESENTATION OF PETITIONS.

H. Claim No. 31, by Mr. McBride—Claim for maps furnished Assessor of Tooele County, \$97.50.

Referred to Committee on Claims.

H. Claim No. 32, by Mr. Clark—Claim of Millard County for criminal prosecutions, \$538.85.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## COMMITTEE ON EDUCATION.

House of Representatives,  
Committee Room,  
February 2, 1894.

Mr. Speaker:

Your Committee on Education having duly considered House Bills No. 3 and No. 6, relating to Free Public Libraries, beg leave to report as follows:

We present herewith a substitute for House Bills No. 3 and No. 6, and recommend that the substitute do pass. We also recommend that Bills No. 3 and No. 6 lie upon the table.

ALLEN,  
Chairman of Committee.

Received.

## FIRST READING OF BILLS.

The following bills were read first and second times, by title, under suspension of the rules:

H. B. No. 86, by Committee on Education—Substitute for House Bills No. 3 and No. 6—An Act for the establishment, Maintenance and Enlargement of Free Public Libraries.

Ordered printed and placed on file for third reading.

Referred to Committee on Library.

H. B. No. 87, by Mr. Hatch—A Bill for An Act to Repeal Sections 30 to 43, both inclusive, of Chapter III, Part II, Volume I, Compiled Laws, 1888, relating to Sealer of Weights and Measures.

Referred to Committee on Judiciary.

H. B. No. 88, by Mr. Johnson (by request)—An Act Regulating the Practice of Medicine.

Read at length first time.

Mr. Varian moved to lay on the table.

Adopted.

## THIRD READING OF BILLS.

H. B. No. 78, by Mr. Hatch—An Act amending Sections 410 and 570 of the Code of Civil Procedure of Utah Territory.

On motion of Mr. Varian the bill was recommitted.

H. B. No. 75, by Mr. Allen—A Bill for an act Relating to Appointment of Women on Certain Territorial Boards, etc.,

Bill passed—24 to 0.

Title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 75.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

C. B. No. 26, by Mr. Williams—Relating to Validating Certain School Bonds issued under the provisions of Chapter 80, Laws of 1892.

Bill as amended passed—24 to 0.

Title approved.

ROLL CALL ON PASSAGE OF C. B. NO. 26 AS AMENDED.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

C. B. No. 8, by H. E. Booth (substitute)—To Amend An Act Entitled An Act to Amend Sections 1761, 1790 and 1791 Compiled Laws of 1888, relating to Election of Justices of the Peace in Cities.

Bill passed—21 to 0.

Title approved.

ROLL CALL ON PASSAGE OF C. B. No. 8.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Excused—Hatch, Powers, Tolton—3.

C. B. No. 28, by Mr. Breeden—An Act Amending Section 3360, Compiled Laws of 1888, being section 482 of the Code of Civil Procedure.

Three o'clock, the hour for Joint Session having arrived, the consideration of the bill was postponed.

The Council being announced, the House received the members standing, and the Joint Session convened.

## JOINT SESSION.

Representatives' Hall,  
Friday, February 2, 1894.

3 p. m.

Pursuant to arrangement, the Legislative Assembly met in joint session.

The President of the Council presiding.

The Chief Clerk of the Council called the roll of the Council—All present.

The Chief Clerk of the House called the roll of the House—All present.

Prayer by the Chaplain of the Council.

The President announced the object of the joint session. It was for the election of a public printer.

Councilor Taylor moved that the Assembly do now proceed to elect a public printer.

Councilor Williams moved as a substitute that the Assembly proceed to settle the bids and award the contract on public printing.

The substitute was lost—16 to 19.

Councilor John E. Booth offered the following amendment to Councilor Williams' motion:

"And that said election in no manner shall determine the question of the award of the contract for public printing."

The amendment was accepted by Councilor Taylor, the mover of the original motion.

The original motion as amended was carried.

Councilor Taylor placed in nomination James B. Bloor for Public Printer.

Councilor Hague placed in nomination E. H. Callister.

On motion of Mr. Tolton the nominations for Public Printer closed.

Mr. Bloor was elected Public Printer—31 to 5.

On motion of Councilor Taylor the Assembly then proceeded to award the contract on Public Printing.

Mr. Varian moved that the reports of the majority of the committee on Public Printing be adopted.

Councilor Williams moved to amend by substituting the word "minority" for the word "majority" in the motion of Mr. Varian.

After discussion, the previous question was ordered.

The amendment was lost.

The original motion was carried.

The ayes and noes being called for, the vote stood as follows:

#### COUNCIL.

Noes—Adams, Breeden, John E. Booth, Eldredge, Hague, Hart, Lund, Seaman, Seeley, Williams—10.

Ayes—H. E. Booth, Taylor—2.

#### HOUSE.

Noes—Allen, Dougall, Hatch, Ivins, Johnson, Mason, McKay, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—17.

Ayes—Clark, Hubbard, McBride, Monson, Moore, Stoker, Tolton—7.

Total for both houses—Noes 17, Ayes 19.

The minutes of the Joint Session were read, corrected and approved.

On motion of Councilor Hart, at 5:05 p. m., the Joint Session dissolved.

Benediction by the Chaplain of the House.

## AFTER JOINT SESSION.

Consideration of C. B. No. 28 was proceeded with.  
After discussion, bill lost—22 to 2.

## ROLL CALL ON C. B. No. 28.

Ayes—Nebeker, Powers—2.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

On motion of Mr. Stanford the House adjourned at 5:15 p. m.

## TWENTY-SEVENTH DAY.

House of Representatives,  
Saturday, February 3, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of twenty-sixth day read, corrected and approved.

On request of Mr. Mason, Mr. McBride was excused until Tuesday, February 6th.

On request of Mr. Nebeker, Mr. Monson was excused for the day.

Mr. Powers was excused until Wednesday, Feb. 7.

H. P. No. 24, by Mr. Stoker—Petition of Citizens of Bountiful for the repeal of all Medical Laws.

Referred to Committee on Public Health.



H. P. No. 25 by Mr. Dougall—By the Citizens of Utah County, asking the passage of H. B. No. 56, relating to Befouling of Waters.

Referred to Committee on Live Stock.

H. P. No. 26, by Mr. Wines—Petition of Citizens of American Fork, asking the passage of H. B. No. 56.

Referred to Committee on Live Stock.

H. Claim No. 33, by Mr. Ivins—Claim of L. G. Hardy for collecting additional taxes 1892, \$1,462.00.

Referred to Committee on Claims.

H. Claim No. 34, by Mr. Clark—Claim of Sevier County for criminal prosecutions, \$2,576 35.

Referred to Committee on Claims.

H. Claim No. 35, by Mr. Clark—Claim of Sevier County for \$614.00 paid Civil Engineer, P. D. Shoeber for maps and plats, etc.

Referred to Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

##### FISH AND GAME.

Committee Room,  
February 3, 1894.

Mr. Speaker:

Your committee on Fish and Game having duly considered Report No. 1 of the Fish Commissioner, beg leave to report as follows:

We recommend that two thousand copies of the same be printed.

MCKAY,  
Chairman of Committee.

Received.

## REPORTS OF SELECT COMMITTEES.

## ON CONTINGENT EXPENSES.

Committee Room,  
February 2, 1894.

Mr. Speaker:

Your Joint Committee on Contingent expenses, to whom was referred the matter of apportioning the appropriation provided for by "An Act Making Appropriation for Contingent Expenses of the Thirty-first Session of the Utah Legislature," beg leave to report that we have duly considered the matter, offer the following resolution, and recommend its adoption:

*Resolved*, That \$500 be appropriated to the Council, and \$800 be appropriated to the House.

E. W. TAYLOR, Chairman.

On motion, the report was laid on the table.

## CONSIDERATION OF REPORTS OF COMMITTEES.

Mr. Allen moved to accept the report of the Committee on Fish and Game.

Mr. Hubbard moved to amend by making the number of copies one thousand in place of two thousand.

Amendment carried and report adopted.

## FIRST READING OF BILLS.

The following House Bills read first and second times, under suspension of rules, and referred:

H. B. 89, No. by Mr. Powers—A Bill for an Act to Appoint a Board of Police and Fire Commissioners.

Referred to Committee on Municipal Corporations.

H. B. No. 90, by Mr. Hatch—Relating to Organization of Towns and Town Officers.

Referred to Committee on Municipal Corporations.

H. B. No. 91, by Mr. Stanford—Relating to Grades in City Streets, etc.

Referred to Committee on Municipal Corporations.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,

February 3, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. J. M. No. 2, concerning a reservation of Lands in Uintah Indian Reservation for Educational Institutions, etc., has passed the Council, as amended, by 12 ayes, noes 0, and is herewith transmitted.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

February 3, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. J. M. No. 13, relating to "Surveying Coal Lands in Utah," etc., has been amended by the Council as therein specified, and passed under a suspension of the rules, and that it is herewith forwarded.

Respectfully,

P. S. SOWERS,

Chief Clerk.

On motion of Mr. Varian, the House concurred in Council amendment and the Council was notified.

On motion of Mr. Varian, C. J. M. No. 2, by Mr. Hart, relating to Agricultural College in Uintah Reservation, was read first and second times under suspension of the rules, and referred to the Committee on Memorials.

THIRD READING OF BILLS.

H. B. No. 14, by Mr. Johnson—An Act Providing for Taxation of Debts secured by Mortgages, etc.

On motion of Mr. Stanford, the consideration was made the special order for Thursday, February 8th, 3 p. m.

H. B. No. 42, by Mr. Stanford—Relating to the payment of Jurors, Witnesses, etc.

Mr. Allen moved to not concur in the Council amendment, striking out the words, "A Bill for."

Carried and Council notified.

H. B. No. 46, by Mr. Johnson—In relation to Assessments.

Mr. Allen moved to not concur in Council Amendment striking out the words "A Bill for."

Adopted and Council notified.

On motion of Mr. Warner, the House adjourned at 3 o'clock p. m.

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## TWENTY NINTH DAY.

House of Representatives,  
Monday, February 5, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of twenty-seventh day read, corrected and approved.

### PRESENTATION OF PETITIONS.

H. P. No. 27, by Mr. Varian—To encourage the Silk Industry in the Territory of Utah, and asking Bounty for the same.

Referred to Committee on Manufactures and Commerce.

H. P. No. 28, by Mr. Sears—Asking the Repeal of Medical Laws.

Referred to Committee on Public Health.

H. P. No. 29, by Mr. Hubbard—Petition of Citizens of Box Elder asking for the Repeal of Medical Laws.  
Referred to the Committee on Public Health.

H. C. No. 36, by Mr. Parsons—Claim of J. H. Tipton of South Cottonwood Precinct, \$190.65, expense of Justice Court.

Referred to Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

##### JUDICIARY COMMITTEE.

House of Representatives,  
Committee Room,  
February 5, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 28, entitled "An Act to Secure Liens to Mechanics and others, and to Repeal all other Acts and Laws in relation thereto," beg leave to report the following amendments with the recommendation that they be adopted and that the bill as so amended do pass:

Amendment No. 1—Insert after line 38, section 1:

"*Provided*, That all persons furnishing materials to be used as in this section specified, shall, at the time of furnishing or delivering such materials, or any part thereof, serve or cause to be served upon the owner or his agent, as in this section defined, a statement of the *fact* of the furnishing and delivery of such materials, together with the amount claimed therefor. Any person failing to serve such statement shall only have a lien to the extent of the materials furnished and to the amount of the contract price less any payments made to the contractor without notice."

Amendment No. 2—Strike out after "lessee," in line 11, Section 3, and insert:

"Shall be worked by a lessee, under bond or otherwise; but in such case the persons entitled to a lien under this

act shall have a lien on the ores and mineral-bearing rock or dirt mined and excavated by the lessee."

Amendment No. 3—Insert after "jurisdiction," line 2, Section 8:

"At any time within twelve months after the completion of the original contract or the supervision of work thereunder for a period of thirty days."

AMENDMENT No. 4—Strike out in line 11, Section 9, "as now allowed by law" and insert "not exceeding ten dollars in the discretion of the Court."

AMENDMENT No. 5—Strike out all after "cause" in line 3, lines 4, 5, and 6, in Section 13, and insert:

"Said claim to be cancelled of record within ten days from the request, and upon failure to so cancel said lien within the time aforesaid shall forfeit and pay to the person making the request the sum of twenty dollars per day until the same shall be cancelled, to be recovered in the manner as other debts."

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
February 5, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered C. B. No. 19, An Act Amending Section 267 of Title 5, of An Act Revising the Code of Civil Procedure of Utah Territory, etc., beg leave to report the same, with recommendation that it do not pass. The provisions of this bill relative to service of summons by private citizens seem to be in conflict with an Act of Congress entitled "An Act in Relation to Courts and Judicial Officers," approved June 23, 1874.

VARIAN,  
Chairman of Committee.

Received.

## COMMITTEE ON ELECTIONS.

Committee Room,  
February 5, 1894.

Mr. Speaker:

Your Committee on Elections, having duly considered House Claim No. 15, for services of E. A. Wedgewood, as Special Commissioner to take testimony in the matter of H. M. Dougall vs. Alexander Robertson, report as follows:

The services were performed as claimed, and by order of this Committee.

We recommend that the claim be referred to the Committee on Claims.

ALLEN,  
Chairman of Committee.

Received.

## COMMITTEE ON LIVE STOCK.

Committee Room,  
February 5, 1894.

Mr. Speaker:

Your Committee on Live Stock, having duly considered H. B. No. 58, by Mr. Tolton, beg leave to report as follows:

We herewith introduce a substitute for said bill, and recommend that H. B. No. 58 be laid upon the table, and that the substitute do pass.

A. C. HATCH,  
Chairman of Committee.

Received.

Committee Room,  
February 5, 1894.

Mr Speaker:

Your Committee on Live Stock, having duly considered H. B. No. 56, by Mr. Johnson, beg leave to report as follows:

We recommend that said bill be referred to the Committee on Public Health, as the same pertains to the befouling of waters used for domestic purposes.

Respectfully,

A. C. HATCH,  
Chairman of Committee.

Received.



## CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Varian, the amendments to H. B. No. 28 Relating to Mechanics' Liens, etc., reported by the Judiciary Committee, were adopted, and the bill ordered reprinted as amended and made the special order for Friday February 9th, at 3 p. m.

On motion of Mr. Hatch, H. B. No. 92, by Live Stock Committee (a substitute for H. B. No. 58,) relating to Herding and Branding of Cattle, etc., was read first and second times by title, under suspension of rules, ordered printed and placed on file for third reading.

On motion of Mr. Nebeker, H. B. No. 58 was laid on the table.

H. C. No. 15, Claim of Wedgewood, on recommendation of Committee on Elections, was referred to Committee on Claims.

H. B. No. 56, on recommendation of Live Stock Committee was referred to Committee on Public Health.

## INTRODUCTION AND FIRST READING OF BILLS.

H. J. R. No. 4, by Mr. Varian—Relating to Costs and Expenses of Criminal Prosecutions, etc. Read in full, ordered printed and referred to Committee on Claims.

H. B. No. 93, by Mr. Varian—"An Act for the Encouragement of Silk Production and for Payment of Bounties therefor." Bill read first and second times by title, under suspension of rules, and referred to the Committee on Manufactures and Commerce.

On motion of Mr. Johnson, H. B. No. 88 was taken from the table, and without being printed, was referred to the Committee on Public Health.

H. R. No. 18, by Mr. Stanford:

*Resolved*, That the Speaker of the House appoint a committee of three to wait upon the Board of Regents of

the University and ascertain why such Board have not reported, as required in Section 18, Chapter LXII, of the Session Laws of 1892, relating to University Lands. Said committee to be further authorized to examine the proceedings of the Commissioners on University Lands under the provisions of said Act, and report the result of their investigations to this Assembly.

STANFORD.

Resolution adopted, and Chair appointed Messrs. Stanford, Monson and Wines as such committee.

Chair announced that in the matter of Council Communication in relation to H. J. M. No. 13, the House had overlooked an amendment adopted by the Council. The Clerk thereupon read the second amendment, which was not concurred in, and the Council was notified.

ROLL CALL ON H. J. M. No. 13, TO CONCUR IN SECOND AMENDMENT AS SUBMITTED BY THE COUNCIL.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Ayes—0.

Excused—McBride, Powers—2.

THIRD READING OF BILLS.

H. B. No. 86, by Committee on Education—A Substitute for House Bills Nos. 3 and 6, relating to Free Public Libraries.

On motion of Mr. Allen, the consideration of H. B. No. 86 was made the special order for Tuesday, February 6th, at 3 p. m.

C. B. No. 19, by Councilor Williams—An Act Amending Section 267, Title 5, An Act Revising the Code of Civil Procedure, etc.

Bill lost—22 to 0.

## ROLL CALL ON PASSAGE OF C. B. NO. 19.

Noes—Allen, Clark, Dougall, Hatch Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Ayes—0.

Excused—McBride, Powers—2.

## COMMUNICATION FROM THE AUDITOR.

Auditor's Office,  
Salt Lake City,  
February 5, 1894,

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly of Utah:

Sir—I have the honor to transmit for the consideration of the Legislative Assembly the following claims against the Territory of Utah, viz:

John Morris' Company, Chicago, blank books and stationery furnished to the Clerk of the Third Judicial District Court, as per Certificate of H. G. McMillan, Clerk, \$123.75.

H. G. McMillan, Clerk of the Third District Court, for freight charges and drayage paid on said blank books and stationery, as per vouchers attached, \$5.05.

Very respectfully,  
JOHN T. CAINE,  
Auditor of Public Accounts.

On motion of Mr. Varian, H. Claim No. 37, claim of John Morris and H. G. McMillan, for blank books and stationery, and for freight charges and drayage on said stationery, was referred to the Committee on Claims.

On motion of Mr. Varian, the House adjourned at 2:50 p. m.

## THIRTIETH DAY.

House of Representatives,  
Tuesday, February 6, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the twenty-ninth day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. P. No. 30, by Mr. Moore—Petition of Citizens of Spanish Fork, Protesting against passage of H. B. No. 47, Relating to Bounty on Sugar Beets.

Read at length.

Referred to the Committee on Manufactures and Commerce.

H. P. No. 31, by Mr. Tolton—Petition of Citizens of the Northeast Part of Garfield County for Annexation to Wayne County.

Referred to the Committee on Counties.

H. Claim No. 38, by Mr. Stanford—Claim of the Ogden Investment Company, for rent of Jury Rooms, \$350.

Referred to the Committee on Claims.

H. Claim No. 39, by Mr. Hubbard—Claim of Adam Larson, for Jury Services, in First Judicial District \$59.20.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## JUDICIARY COMMITTEE.

House of Representatives,  
Committee Room,  
February 5, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered

H. B. No. 60, "An Act in Relation to the Exemption of Personal Property for Wages of Laborer or Servant," beg leave to report the same with the recommendation that it do not pass.

Also H. B. No. 78, 'An Act Amending Sections 410 and 570 of the Code of Civil Procedure of Utah Territory," with the recommendation that it do not pass.

We also recommend that H. B. No. 84, "An Act to amend Sections 11 and 13, Chapter LXII, of the Session Laws of Utah, 1892, Relating to University Lands" do pass.

VARIAN,  
Chairman of Committee.

Received.

#### COMMITTEE ON COUNTIES.

Committee Room,  
February 5, 1894.

Mr. Speaker:

Your Committee on Counties, having duly considered various financial reports from counties of the Territory, as submitted by the Territorial Auditor, beg leave to report as follows:

We recommend that the reports be referred to the Committee on Claims and Public Accounts.

McKAY,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On recommendation of the Committee on Counties, the Financial Reports from various counties were referred to Committee on Claims and Public Accounts.

#### READING OF BILLS.

The following House Bills were read first and second time by title, under suspension of the rules, and referred:

H. B. No. 94, by Mr. Varian—"An Act to Amend Section 3460, Compiled Laws," relating to Fees for Attorneys and Council in Foreclosures, etc.

Referred to Committee on Judiciary.

H. B. No. 95, by Mr. Moore—A Bill for an Act amending an Act providing for Disposal of Estrays and Animals for Trespass and Damage.

Referred to Committee on Live Stock.

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,

February 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that in the matter of the non-concurrence of the House in the Council amendments to H. B. No. 12, H. B. No. 42 and H. B. No. 46, Councilors J. E. Booth and P. L. Williams have been appointed to meet for conference such committee as you may be pleased to designate for that purpose.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and the Chair named Messrs. Nebeker and Allen as such committee, and the Council was notified.

#### THIRD READING OF BILLS

H. B. No. 92, by Live Stock Committee—Relating to Herding and Branding of Cattle.

Three o'clock having arrived, final consideration was postponed to give place to the Special Order.

#### SPECIAL ORDER.

H. B. No. 86, by the Committee on Education—Substitute for House Bills No. 3 and No. 6—An Act for the Establishment and Enlargement of Free Public Libraries.

Bill passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 86.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—Nebeker, Sears—2.

Excused—Powers—1.

Consideration of H. B. No. 92 was then proceeded with, and the bill finally passed as amended—18 to 2.

Title approved.

## ROLL CALL ON PASSAGE OF H. B. No. 92.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Stanford, Tolton, Varian, Mr. Speaker—18.

Noes—Stoker, Wines—2.

Excused—Nebeker, Warner, Powers—3.

Absent—Sears—1.

Mr. Johnson and Mr. Ivins gave notice that they would move for a reconsideration of the vote on H. B. No. 92, on Wednesday, February 7th.

H. B. No. 60, by Mr. Powers (by request)—Relating to the Exemption of Personal Property for Wages of Laborer or Servant, etc.

Bill lost—22 to 0.

## ROLL CALL ON PASSAGE OF H. B. NO. 60.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Ayes—0.

Excused—Powers—1.

Absent—Sears—1.



H. B. No. 78, by Mr. Hatch—An Act Amending Sections 410 and 570 of the Code of Civil Procedure.

Bill lost—18 to 3.

ROLL CALL ON PASSAGE OF H. B. No. 78.

Ayes—Hatch, Monson, Moore—3.

Noes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Nebeker, Parsons, Pigman, Stanford, Stoker, Tolton. Varian, Warner, Wines—18.

Excused—Powers,—1.

Absent—Sears—1.

H. B. No. 84, by Mr. Clark—A Bill for An Act to Amend Sections 11 and 13, Chapter LXII of Session Laws of 1892, Relating to University Lands.

Before final action on the measure, the House, on motion of Mr. Varian, adjourned at 4:30 p. m.

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THIRTY FIRST DAY.

House of Representatives,  
Wednesday, February 7, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the thirtieth day read, and approved.

Mr. Powers was excused for the day and Thursday, February 8th.

PRESENTATION OF PETITIONS.

H. P. No. 32, by Mr. Sears—A Petition of Citizens of Granger, Salt Lake County, Protesting Against Medical Legislation.

Referred to Committee on Public Health.

H. P. No. 33, by Mr. Hatch—Petition of Citizens of Wasatch County Protesting Against Medical Legislation. Referred to Committee on Public Health.

H. P. No. 34, by Mr. Hubbard—Petition of the County Court of Box Elder, asking Appropriation for Bridges. Referred to Committee on Ways and Means.

#### REPORTS OF STANDING COMMITTEES.

##### JUDICIARY COMMITTEE.

House of Representatives,  
Committee Room,  
February 7, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 79, An Act to Secure Landlords for Rent etc. beg leave to report the enclosed substitute, with recommendation that it do pass, and that H. B. 79 lie upon the table.

VARIAN,  
Chairman of Committee.

Received.

##### MUNICIPAL CORPORATIONS.

House of Representatives,  
Committee Room,  
February 7th, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations, having duly considered H. B. No. 90, Relating to Town Corporations, beg leave to report as follows:

We present herewith a substitute for H. B. No. 90, and recommend that the substitute do pass.

We also recommend that H. B. No. 90 lie upon the table.

JOHNSON,  
Chairman of Committee.

Received.

## CONTINGENT EXPENSES.

Committee Room,  
February 6, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses having duly considered W. H. Clayton's account (from January 16th to February 1st) for fitting keys and repairing locks, for \$4, beg leave to report that we have examined the same and recommend its approval.

McBRIDE,  
Chairman of Committee.

Received.

Committee Room,  
February 6, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having duly considered the account of A. H. Nash, P. M., for stamps, amounting to \$88, beg leave to recommend its approval.

McBRIDE,  
Chairman of Committee.

Received.

Committee Room,  
February 6, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having duly considered the account of the Utah Book & Stationery Co., (from January 6th, to February 3d, 1894), amounting to \$147.20, beg leave to report as follows:

We recommend its approval.

McBRIDE, Chairman.

Received.

## CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Varian, H. B. No. 79 was laid on the table.

On motion of Mr. Johnson, H. B. No. 90 was laid on the table.

On motion of Mr. McBride, the recommendation of the Committee on Contingent Expenses, relating to claim of W. H. Clayton for \$4, was agreed to.

On motion of Mr. Varian, the reports of the Committee on Contingent Expenses, relating to the claims of A. H. Nash and Utah Book & Stationery Company, were adopted.

With the consent of the House, Mr. Varian presented the following resolution:

*Resolved*, That the compensation of the Janitor of this House be and the same is hereby fixed at \$4 per day from the date of his election; and the Sergeant-at-Arms is hereby directed to pay the same out of the House Contingent Fund upon the warrant of the Speaker.

Adopted and referred to Committee on Contingent Expenses with request that they report as speedily as possible.

#### UNFINISHED BUSINESS.

Mr. Ivins moved to reconsider the vote on H. B. No. 92. Carried, and on motion, the bill was recommitted.

H. B. No. 84, by Mr. Clark—A Bill for an Act to amend Sections 11 and 13, Chapter LXII of Session Laws of 1892, relating to University Lands.

Bill as amended passed and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 84.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

Noes—0.

Excused—Powers—1.

## PRESENTATION AND READING OF BILLS.

The following House Bills read first and second times by title, under suspension of rules:

H. B. No. 96, by Judiciary Committee—a substitute for H. B. No. 79, an act relating to Landlords and Tenants.  
Placed on file for third reading.

H. B. No. 97, by Committee on Municipal Corporations (a substitute for H. B. No. 90, by Mr. Hatch)—relating to the Organization of Towns.

Read at length and placed on file for third reading.

H. B. No. 98, by Mr. Dougall—A Bill for an Act amending Section 2139, Chapter XVI, Volume 1, Compiled Laws, 1888, relating to Encouragement of Industries.

Referred to Committee on Manufactures and Commerce.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 6, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. B. No. 2, and C. B. No. 1, both intended to make eight hours' labor a legal days work on public works, were referred to the Council Committee on Judiciary, which reported C. B. Substitute No. 1, and recommended its passage in lieu of both of said bills; that, accordingly C. B. Substitute No. 1, was this day passed—Ayes 9;—Noes—2; absent—1.

H. B. No. 2 is herewith returned, accompanied by C. B. Substitute No. 1 and C. B. No. 1, for your information and further action.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion of Mr. Allen, the C. B. Substitute No. 1 was read at length the first time, and the second time by its title under a suspension of the rules.

Mr. Stanford moved to commit to Judiciary Committee. Adopted.

With the consent of the House, Mr. Wines presented the following:

H. P. No. 35, by Mr. Wines—Petition of Citizens of Utah County, Relating to Fishing Laws, etc.

Referred to Committee on Fish and Game.

#### SPECIAL ORDER.

Three o'clock, the hour set for consideration of H. B. No. 30, having arrived, a communication from the Chamber of Commerce with resolutions bearing on the measure, was read.

After the reading, the House proceeded with the consideration of H. B. No. 30, by Mr. Varian, Relating to Taxation of Debts Secured by Mortgages.

After discussion, the bill passed, 13 to 11.

Title approved.

#### ROLL CALL ON PASSAGE OF H. B. No. 30.

Ayes—Allen, Clark, Dougall, Hatch Ivins, Johnson, McBride, McKay, Parsons, Pigman, Varian, Warner, Wines—13.

Noes—Hubbard, Mason, Monson, Moore, Nebeker, Powers, Sears, Stanford, Stoker, Tolton, Mr. Speaker—11.

On motion of Mr. Varian, the House adjourned at 5:10 p. m.

## THIRTY-SECOND DAY.

House of Representatives,  
Thursday, February 8, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain

Minutes of the thirty-first day read, corrected and approved.

Mr. Clark was excused temporarily.

## PRESENTATION OF PETITIONS.

H. P. No. 36, by Mr. Hatch—Petition of residents of Sevier County against appropriating money as asked for by citizens of Elsinor.

Referred to Committee on Highways.

H. P. No. 37, by Mr. Stoker—Petition of Davis County, asking for an appropriation of \$1,000 to repair roads, etc.

Referred to Committee on Ways and Means.

H. P. No. 38, by Mr. Wines—Petition of Citizens of American Fork for repeal of certain Medical Laws.

Read and referred to Committee on Public Health.

H. Claim No. 40, by Mr. Stoker (two claims)—Claim of Davis County for revising and amending Assessor's Plats, etc., and claim for criminal expenses, aggregating \$169 85.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## CLAIMS AND PUBLIC ACCOUNTS.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, having duly considered Claim No. 3, beg leave to report as fol-



lows: That the amount be reduced from \$98 to \$70, and that the latter amount be allowed in full for all bills rendered, aggregating \$98.

SEARS,

Chairman of Committee.

Received.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, having duly considered Nos. 12a, 15, 17 and 20, beg leave to report as follows, and recommend that the same be allowed.

SEARS,

Chairman of Committee.

Received.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts having duly considered Claims Nos. 4, 11, 12, 13 and 21, beg leave to report as follows: That the same be not allowed:

In disallowing Claims Nos. 11 and 12, the Committee do so upon the ground that the claimants have already received payment as Territorial witnesses, and are not entitled to the additional fees as experts.

SEARS,

Chairman.

Received.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C No. 26, of William McCarty, for services as Assistant U. S. Attorney for the Second Judicial District, of \$630, beg leave to report that they have had the

same under consideration, and recommend that the sum of \$630 be appropriated in full for said claim.

SEARS,  
Chairman.

Received.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 22, of Rich County, for \$325.40 for amount paid as bounty on wild animals, beg leave to report that they have had the same under consideration and recommend that the claim be referred back, as the duties of the Auditor of Public Accounts are clearly laid down and defined in Section 2117 of the Compiled Laws of Utah, 1888 in reference to such claims.

SEARS,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Sears, the recommendation of the Committee on Claims, in relation to Claims Nos. 3, 12A, 15 17 and 20, was adopted and said claims were referred to the Committee on Appropriations.

Mr. Allen moved to recommit H. Claim No. 13, claim of F. G. Lyngberg, for jury service, \$40.

Adopted.

Under suspension of the rules, Mr. Tolton offered the following resolution:

*Resolved*, That the Sergeant-at-arms is hereby directed to pay, out of the House Contingent Fund, all moneys due Donn J. Shields for services rendered to date as page of this House, and he is further ordered to make payments weekly for such services in future, out of said House Contingent Fund, during the remainder of the session.

Adopted.

On motion of Mr. Dougall, H. Claim No. 21, claim of Don C. Huntington, for jury service, of \$6 00, was recommit-  
mitted.

On motion of Mr. Sears, H Claim No. 26, claim of William McCarty, was referred to Committee on Appropri-  
ations.

On motion of Mr. Stoker, the report of Committee on Claims, relating to Claim No. 22, claim of Rich County for \$325.40, amount paid as Bounty, etc., was adopted.

#### SPECIAL ORDER.

Three o'clock having arrived, the House considered H. B. No. 14, by Mr. Johnson—A Bill for An Act Entitled an Act Providing for the Taxation of Debts Secured by Mortgages and Trust Deeds upon Real and Personal Property, and to Repeal Chapter XLIX, of Laws of 1892, approved March 10th, 1892.

Mr. Johnson moved to make the consideration of the bill special order for Wednesday; lost.

Mr. Allen moved to make the final consideration the special order for Wednesday, the 14th, at 2:45 p. m.

Lost—8 to 14.

Mr. Allen moved to lay the bill on the table.

Lost—6 to 15.

Mr. Allen moved to recommit.

Lost—7 to 14.

Mr. Ivins moved for Roll Call on the passage of the bill.

Mr. Allen moved to lay this motion on the table.  
Lost—7 to 15.

Mr. Ivins' motion was carried.

Bill lost—9 to 14.

## ROLL CALL ON PASSAGE OF H. B. No. 14.

Ayes—Allen, Clark, Dougall, Johnson, Nebeker, Parsons, Pigman, Tolton. Varian—9.

Noes—Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Powers, Sears, Stanford, Stoker, Warner, Mr. Speaker—14.

Absent—Wines—1.

Mr. Dougall was excused until Monday, February 12th.

Mr. Nebeker was excused until Tuesday, February 13th.

Mr. Allen was excused one day—Friday, February 9th.

On motion of Mr. Stanford, the House adjourned at 4:45 p. m.

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THIRTY-THIRD DAY.

House of Representatives,  
Friday, February 9, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the thiriy-second day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. C. No. 41, by Mr. Varian—Claim of William Pitts et al., for Witness Fees, aggregating \$162.66.

Referred to Committee on Claims.

H. C. No. 42, by Mr. McBride—Claim of Thomas Williams, Collector of Tooele County, for \$276.22.

Referred to Committee on Claims.

H. C. No. 43, by Mr. McBride—Claim of John Rydalc, for Witness Fees in the First Judicial District in 1886, for \$23.50.

Referred to Committee on Claims.

H. C. No. 44, by Mr. Hatch—Claim of C. J. Elliot for Fees as clerk in Commissioner's Court at Moab, Grand County, amount \$20.

Referred to Committee on Claims.

H. P. No. 39, by Speaker Emery—Petition of Citizens of Uintah County asking for Extension of Western Boundary of Uintah County and for an appropriation of \$2,000 to repair Roads and Bridges.

Referred to Committee on Counties.

#### REPORTS OF STANDING COMMITTEES.

##### CLAIMS AND PUBLIC ACCOUNTS

Committee Room,  
February 9, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts to whom was referred H. C. No. 31, of Tooele County, of \$195 for maps and plats furnished the County Assessor of said County for the years 1892 and 1893, recommend that the sum of \$97.50 be appropriated as the amount due from the Territory of Utah. The balance of this claim is due from Tooele County.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 9, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred the Claim of W. L. Cook, Clerk of the Second District Court, H. C. No. 19, for \$1,048.15 for indexing and other work concerning the records of the Second District Court, beg leave to report that they have carefully

considered the same and recommend that \$361.50 be appropriated in full for said claim, as follows:

Fifty-one days' work of Deputy, arranging the files and indexing, etc., at \$3.00 per day .....	\$153 00
To indexing minute books from 1851 to 1893, 4,500 entries.....	125 00
To making a roster of attorneys, 18 entries.....	4 50
To entering 640 folios in Judgment Book, at 10c..	64 00
Entering 160 Civil and Territorial Judgments on Judgment Docket .....	10 00
Making index to Judgment Book and Docket, 480 entries.....	5 00
Total.....	<hr/> \$361 50

SEARS,  
Chairman of Committee.

Received.

#### CONTINGENT EXPENSES.

Committee Room,  
February 9, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having duly considered H. R. No. 19, relating to Janitors' Compensation, beg leave to report that they recommend its adoption.

MCBRIDE,  
Chairman of Committee.

Received.

#### APPROPRIATIONS.

Committee Room,  
February 9, 1894.

Mr. Speaker:

A majority of your Committee on appropriations having duly considered H. B. No. 33, beg leave to report as follows:

That the bill do not pass.

PARSONS,  
Chairman of Committee.

Received.

## PUBLIC HEALTH.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Public Health, having duly considered H. B. No. 22, beg leave to report as follows:

It is the opinion of your committee, that considering the present financial condition of the Territory, the benefits to be derived from the proposed bill will not justify the expense and proposed taxation. We therefore recommend that the bill do not pass.

WINES,  
Chairman of Committee.

Received.

## MANUFACTURES AND COMMERCE.

House of Representatives,  
Committee Room,  
February 9, 1894.

Mr. Speaker:

Your Committee on Manufactures and Commerce, having duly considered H. B. No. 47, A Bill for An Act to Provide for the Paying of Bounties to Raisers of Sugar Beets, beg leave to report a substitute therefor, with the recommendation by a majority of the committee that the substitute do pass.

VARIAN,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
February 9th, 1894.

Mr. Speaker:

Your Committee on Manufactures and Commerce, having duly considered H. B. No. 93, A Bill for An Act for the Encouragement of Silk Production and Paying Bounties Therefor, beg leave to report the same with an amendment,



*i. e.*, insert 'which' in lieu of "who" in line 1, section 2, of the printed bill, with the recommendation that as amended the bill do pass. The following statement of the history and results of sericulture in Utah in the past was made officially by the Utah Silk Committee to the General Silk Committee of the World's Fair, and, as it is believed to be a correct statement of facts, is incorporated in your committee's report as a part thereof.

#### STATEMENT OF SILK COMMITTEE.

At a very early period in the settlement of this Territory, Brigham Young, its founder, became convinced that the soil and climate were well adapted to silk culture; and when Governor of Utah, in 1855 or 1856, ordered a supply of mulberry seed from France, and in a few years fifty acres of mulberry trees were planted out in orchards or groves, some in the suburbs of Salt Lake City and some in Utah County, besides numerous shade trees in the yards and on the sidewalks of the city. From that time mulberry trees have been grown in all parts of the Territory, in nearly every town and village, and they have flourished luxuriantly. It is estimated that there are at least two hundred and fifty acres of mulberry trees in Utah.

Several cocooneries were built, and silk worms were imported from France and Italy, and later were procured from the Agricultural Department at Washington, D. C. Governor Young built a large two-story adobe cocoonery on his Forest farm of mulberry trees, and secured the services of Mr. Bertrand, an experienced sericulturist from France, to take charge of the establishment. The quantity of cocoons raised under his management is not known, but Mrs. Dunyon, who succeeded Mr. Bertrand in superintending, raised in six weeks 700 pounds of cocoons, which at that time were worth \$2.00 per pound in France.

Individual efforts were made by women in their respective homes about the same time, and with excellent results, by means of primitive methods. Mrs. Nancy Burrows, formerly of Connecticut, brought mulberry seed and silk worms' eggs from the East in 1858. She planted out mulberry trees, and while waiting for them to grow, when the worms hatched, fed them lettuce, upon which they

thrived well. The following year, 1859, she reeled the silk and wove a dress pattern on a loom made for weaving carpets. This was the first silk dress made in Utah. She also made other articles, and a quantity of sewing silk for her own use. Women from the very first have taken the lead in practical sericulture, and many other women in different places later on made silk for home wear in the same way. Dorinda Robinson, of Farmington, was one of the first to manufacture silk dress goods; one of the dresses made by her from the cocoons is now on exhibition in the Process Department of the Woman's Building in Chicago.

The elegant silk lace fichu presented to Mrs. Hayes (wife of President Hayes, a souvenir of her visit to Utah in September, 1880, was made of pure silk, raised, reeled and prepared in this city by Mrs. Anna Brown. Competent judges pronounced the silk beautiful, and of superior quality.

Hundred of instances could be cited where women have raised from 75 to 100 pounds and more of cocoons, and manufactured the silk for home use and wear, which abundantly proves that the soil and climate are admirably adapted to sericulture; and the many specimens of silk in shawls and other articles now being shown at the World's Fair (but made years ago) clearly demonstrate the fact.

In 1876, a Territorial organization was effected, called the Deseret Silk Association (Mrs. Zina D. H. Young, President), for the purpose of promoting the industry and to successfully establish the enterprise by means of united efforts. Auxiliary associations were formed in several counties, and women in most instances were the active directors and practical workers. Cocoons were raised in large quantities, but the manufacture of silk has not been extensive, because of the lack of suitable modern machinery.

Letters received by the committee from various parts of the Territory verify the statements made in this report, and in a former one, now on file with the Board of Lady Managers.

In St. George, Washington County, 300 miles south of Salt Lake, eleven families raised in two years 1,000 pounds of cocoons, and in Santa Clara, in the same county, four persons raised 82 pounds and twenty persons 750 pounds in the same two years. The best of these were taken by the Department at Washington, D. C.

The handsome silk portieres now in the Woman's Building (every thread of them genuine Utah silk) is evidence of the superior quality and fibre of Utah silk. This silk was raised, reeled and prepared by Mrs. Harris in Weber County. The set of furniture (seven pieces) in the Utah Building in Chicago, is upholstered with the silk made and cocoons raised in Davis County, and is certainly a pure article. The silk flags, scarfs, handkerchiefs, fringes, hosiery, knitting and sewing silk and twist, may also be seen there.

Utah silk was exhibited at the Centennial at Philadelphia, and examined by experts who attested to its excellence. Utah cocoons have been placed on the market in San Francisco and Philadelphia, and pronounced superior in quality.

During one year the wages paid to operators by the Silk Association amounted to \$1,500, and the quantity of raw material worked was 400 pounds, which was valued at \$2,500, while the product in manufactured goods exceeded \$5,500.

Summing up the matter, we can only say that we have in this Territory women accustomed to the work from France, Switzerland, Italy, Germany and England, as well as those who have had experience here, and with some encouragement offered in future many thousands of pounds of cocoons might be raised and manufactured with very little outlay.

There have been over 28,000 pounds of cocoons raised in Utah, averaging in value \$1 per pound, and there are a few power and hand looms now in operation.

Gold and silver medals, diplomas and cash premiums have been awarded to silk producers and workers from year to year at the Territorial Fair.

As before stated, there are thousands of mulberry trees of the *Morus Multicaulus* and of the *Morus Alba* species (which is considered the best,) and together with the soil and climate, they are well adapted as food for silk worms. Disease, which is so fatal in damp climates, cannot be known here. There are hundreds of women anxious to engage in the industry, so that all things seem propitious to the development of an enterprise which ought to result

in ultimate wealth to those who are interested in the work, and a source of considerable revenue to the Territory.

VARIAN,  
Chairman of Committee.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Sears, the H. C. No. 31, was referred to Committee on Appropriations.

On motion of Mr. Sears, the H. C. No. 19, was referred to Committee on Appropriations.

On motion of Mr. McBride, the Report of Committee on Contingent Expenses was adopted.

On motion of Mr. Varian, the amendment reported by Committee on Manufactures and Commerce, to H. B. No. 93, was adopted.

On motion of Mr. Varian, the consideration of H. B. No. 93, was made special order for Friday, February 16th, at 3 p. m.

On motion of Mr. Varian, H. B. No. 47 was laid on the table.

Under suspension of the rules, H. B. No. 99, by Committee on Manufactures and Commerce, (substitute for H. B. No. 47) relating to Bounties to Raisers of Sugar Beets, etc., was read at length first time, second time by title, ordered printed and placed on file as a special order for Wednesday, February 14, at 3 p. m.

#### UNFINISHED BUSINESS.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Sears, the report of Committee on Claims, relating to H. C. Nos. 4, 11 and 12 was adopted.

## REPORTS OF STANDING COMMITTEES.

## COMMITTEE ON CLAIMS.

Committee Room,  
February 8, 1894.

Mr. Speaker:

You Committee on Claims and Public Accounts, to whom was referred the claim of the Salt Lake Lithographing Company for \$453 40, for records and other stationery furnished the clerks of the several District Courts, beg leave to report that they have had the same under consideration, and recommend that the sum of \$330.25 be appropriated and that the balance of said claim be rejected, as the items therein charged for are not a proper charge against the Territory of Utah.

SEARS,  
Chairman of Committee.

Received.

The report was adopted, and the report, with claim, referred to Committee on Appropriations.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 2, in favor of Jacob S. Boreman, for \$1,750 00, respectfully report that they have had the same under consideration and recommend that the same be not allowed, for the reason that the services herein claimed for were fully appropriated for by the last session of the Territorial Legislature.

SEARS,  
Chairman of Committee.

On motion the report was adopted.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to

whom was referred H. C. No. 16, of William McQueen, of \$451.90 for fees as sheriff in criminal cases, beg leave to report that they have had the same under consideration and recommend that the claim be rejected, as in the opinion of the committee the Territory is not responsible for said fees but that they should be paid out of the county treasury.

SEARS,  
Chairman of Committee.

Report laid on the table.

Committee Room,  
February 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 7, in favor of Parks and Thompson, for the sum of \$650.00, beg leave to report that they have carefully had the same under consideration, and recommend that the sum of \$100 be appropriated in full for all services rendered in the case of Ira C. Kennelly, and others, since the last session of the Legislature, and that the balance of said claim, \$550.00, be rejected, as the same was duly considered by the last session of the Legislature and an appropriation was made in full for said services. All of which is respectfully submitted.

SEARS,  
Chairman of Committee.

Report adopted.

#### COMMITTEE ON CONFERENCE.

Mr. Speaker:

Your Committee on Conference, in regard to amendments to titles of bills, have agreed that whenever a title has the words, "A Bill for An Act," that the approving of the title shall mean to strike out the words "A Bill for," and wherever a title commences "A Bill for," the approving of the title shall mean to strike out "A Bill" and insert "An Act," and we recommend that the House concur in the amendment of title of H. B. No. 46, by inserting "1888" after the word "Utah." We further recommend that the



Council recede from their amendment to H. J. M. No. 13, by striking out "this resolution to take effect from and after its passage."

AQUILA NEBEKER.

C. E. ALLEN.

Report adopted.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 55, Authorizing the Justices of the Supreme Court to Employ Stenographers, etc; ayes, 11; noes, 0; absent, 1; and C. B. No. 54, to Authorize the Procuring of Records for Use of Clerks of District Courts, by ayes, 10; noes, 0; absent, 2; and that both bills are herewith forwarded for your consideration.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

Council Chamber,  
February 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 59, to Relieve William J. Shields from a Judgment in favor of the Territory of Utah, has passed the Council—ayes, 11; noes, 0; absent, 1—and is herewith presented for your consideration.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received

Council Chamber,  
February 7, 1894.

Mr. Speaker:

I am directed to inform your honorable body that H. B



No. 59, substitute for H. B. No. 32, Concerning the laying out and Platting of Towns, was amended as therein marked and passed by the Council. Ayes, 8; noes, 0; absent, 4; and that it is herewith offered for your attention.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. B. No. 24, To Establish Free Public Employment Offices was amended by the Council, and as amended passed by. Ayes, 12; noes, 0; and that the bill with amendments, is herewith returned for your consideration.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. C. R. No. 9, Relating to the Authorizing of the Printing of Certain Official Reports of Trustees and Reports of Territorial Institutions, etc., and that it is herewith forwarded for your consideration.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received-

C. C. R. No. 9, by Mr. Seaman:

*Resolved*, The House concurring, that one thousand (1000) copies each of the reports of the Fish Commissioner, the Board of Directors of the Deseret A. and M. Society, the Board of Trustees of the Agricultural College, and the Board of Regents of the University of Utah, and other officers, be

ordered printed for the use of said Boards, and the members of this Assembly.

Read and referred to Committee on Printing, to report later in the day.

Council Chamber,  
February 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. B. No. 51, Giving City Councils Power to Elect a Mayor pro tem. as therein specified, has been amended, as written thereon, and passed the Council as amended. Ayes, 10; noes, 0; absent, 2; and is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. B. No. 41, Providing for Paying Reporter's Fees for Transcribing Notes in Certain Cases in Courts, has passed the Council as received. Ayes, 9; noes, 0; absent, 3; and is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 30, An Act for the Relief of Volunteer Firemen, has passed the Council. Ayes, 11; noes, 0; absent, 1; and is herewith transmitted for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 42, for An Act Extending Time for Complying, etc., relating to Rules and Regulations under Townsite Act, has passed the Council. Ayes, 11; noes, 0; absent, 1; and is herewith sent for your consideration.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

SPECIAL ORDER.

Three o'clock having arrived, H. B. No. 28 was taken up for consideration.

On motion of Mr. Varian, the consideration of H. B. No. 28, was postponed until Thursday, February 15th.

Mr. Clark was excused until Wednesday, February 14.

Mr. Stoker announced he was paired with Mr. Clark on all political questions during that gentleman's absence.

READING OF BILLS.

H. B. No. 100, by Mr. Hatch—An Act providing for the Dissolution of Irrigation Companies.

Read at length first time, second time by title, under suspension of the rules, and referred to Committee on Judiciary.

The following Council Bills were read first and second times by title, under suspension of the rules, and referred.

C. B. No. 55, by Mr. Williams—A bill for an act relating to Employment of Stenographers and Amanuenses for Justices of the Supreme Court.

Referred to Committee on Judiciary.

C. B. No. 54, by Mr. Seaman—A bill for an act Authorizing the Auditor to Procure Records, etc., for use of clerks of district courts.

Referred to Committee on Judiciary.

C. B. No. 42, by H. E. Booth (by request)—An Act Extending time for complying with the provisions of Chapter V of Title II, Volume II, entitled Rules and Regulations under Townsite Act.

Referred to Committee on Municipal Corporations.

C. B. No. 65, by H. E. Booth—A bill for an act to Relieve W. J. Shields from a judgment in favor of Utah Territory.

Referred to Committee on Claims.

H. J. R. No. 5, by Mr. Warner:

*Resolved*, That no bills be received by the Assembly after the fiftieth day of its session, except by unanimous consent.

Adopted.

#### THIRD READING OF BILLS.

H. B. No. 22, by Mr. Varian (by request)—To Prevent Contagious Diseases, and to Prevent Exposure for Sale of Diseased Meats, etc.

Lost.

#### ROLL CALL ON PASSAGE OF H. B NO. 22.

Ayes—0.

Noes—Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19

Absent—Allen, Clark, Dougall, Nebeker, Powers—5.

H. B. No. 33, by Mr. Varian—A bill for an act to Aid in the Employment of Needy and Deserving Workingmen, and appropriating \$1,000 therefor.

Mr. Stoker moved to make it a special order for Monday, February 12th, at 3 p. m.

Lost.

Bill as amended passed and title approved—17 to 2.

## ROLL CALL ON PASSAGE OF H. B. No. 33.

Ayes—Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—17.

Noes—Hatch, Tolton—2.

Absent—Allen, Clark, Dougall, Nebeker, Powers—5.

H. B. No. 24, by Mr. Allen—A Bill for An Act to Establish Free Public Employment Offices.

Bill laid on Table.

H. B. No. 59, by Judiciary Committee—Substitute for H. B. No. 32, amending Chapter 50, concerning the laying out and Platting of Towns, etc.,

Amendments of Council concurred in—vote 19 to 0—and Bill sent to committee on enrollment.

## ROLL CALL ON COUNCIL AMENDMENTS TO H. B. No. 59.

Ayes—Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19.

Noes—0.

Absent—Allen, Clark, Dougall, Nebeker, Powers—5.

H. B. No. 51, by Jos. Monson (by request)—Relating to Powers of City Council to elect Mayor pro tem.

Amendments of Council concurred in. Vote—19 to 0, and bill sent to Committee on Enrollment.

## ROLL CALL ON COUNCIL AMENDMENTS TO H. B. NO. 51.

Ayes—Hatch, Hubbard, Ivins, Johnson, Mason McBride, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19.

Noes—0.

Absent—Allen, Clark, Dougall, Nebeker, Powers—5.

H. B. No. 41, by Mr. Varian—An Act amending Section 3,099 of Compiled Laws of 1888, relating to Payment for Transcribing in Certain Cases, out of the Territorial Treasury.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 9, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has receded from its second amendment to H. J. M. No. 13, "Relating to the surveying of Coal Lands in Utah," viz: striking out the final clause; that in H. B. No. 46, "Relating to Assessments," the Joint Conference Committee agreed to the Council amendment inserting in the title, after the word "Utah" the figures "1888;" and that in H. B. No. 46, as also in H. B. No. 42, "Relating to the Payment of Jurors," etc., that on the approving of titles after the passage of "A Bill" shall mean to strike out the words "A bill for," and whenever a title begins, "A bill to," etc., the approving of the title shall mean to strike out "A bill" and insert the words "An act." This applies as well to H. B. No. 12," "Relating to Attorneys-at-Law Becoming Sureties," etc.

The Council having accepted and adopted the report of the Conference Committee, H. J. M. No. 13, H. B. No. 46, H. B. No. 42, and H. B. No. 12 are herewith, and therefore, returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

## REPORT OF COMMITTEE ON PUBLIC PRINTING.

Committee Room,  
February 9, 1894.

Mr. Speaker:

Your Committee on Public Printing, having duly con-

sidered C. C. R. No. 9, referred to them this day, beg leave to report as follows: That the House concurs.

PARSONS,  
Chairman of Committee.

Received.

On motion of Mr. Pigman, report was adopted and Council notified.

On motion of Mr. Stanford, the House adjourned at 4:45 p. m.

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### THIRTY-FOURTH DAY.

House of Representatives,  
Saturday, February 10, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Mr. Stoker was excused for the day.

Prayer by the Chaplain.

Minutes of the thirty-third day read, corrected and approved.

#### REPORTS OF STANDING COMMITTEES.

##### MUNICIPAL CORPORATIONS.

Committee Room,  
February 10, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations, to whom was referred H. B. No. 89, relating to a Board of Police and Fire Commissioners in cities of the first and second class, beg leave to report as follows:

We have duly considered the same, and present here-



with a substitute for said H. B. No. 89, and recommend that said substitute be printed and that the same do pass.

We further recommend that H. B. No. 89 lie upon the table.

JOHNSON,  
Chairman of Committee.

Received.

WORLD'S FAIR COMMITTEE

February 10th, 1894.

Mr. Speaker:

Your Committee on "World's Columbian Fair" beg leave to report that your Committee, with the Council Committee, by invitation, met with the World's Fair Commission and after considering their financial statement, which statement represented that \$46,898 had been received from banks on endorsement of private citizens and that the disbursements amounted to \$59,557.25 (this amounts includes \$1200 estimated to be necessary in finishing up the business of the Commission), being an excess over and above receipts of \$12,659.25, for which the Commissioners are personally responsible. That without going into details regarding the appointment of said Commissioners and the methods adopted by them for the raising of the necessary funds, all of which is discussed at length in their reports, which we herewith submit and recommend that the same be received and that 250 copies be printed.

Your Committee also recommend that the amount of \$59,557.25 be appropriated for the relief of said World's Fair Commissioners, and herewith present a Bill for an Act providing for such appropriation.

STANFORD,  
Chairman of Committee.

Received.

## CLAIMS AND PUBLIC ACCOUNTS

Committee Room,  
February 10, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 37, of John Morris & Co. and H. G. McMillan, for books, etc., furnished the Clerk of the Third District Court, and for freight on the same, beg leave to report that they have had the same under consideration and recommend that the following amounts be appropriated:

John Morris & Co. for books, etc., \$123.75.

H. G. McMillan, for freight on same, \$5.05.

SEARS,  
Chairman of Committee.

Received

Committee Room,  
February 10, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. J. R. No. 4, by Mr. Varian, beg leave to report that they have had the same under consideration, offer a substitute therefor and recommend that the substitute be passed.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 9, 1894.

Mr Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 33, of L. G. Hardy for \$1,462.00, for ten per cent. for collecting \$14,620.44 additional tax added by the Territorial Board of Equalization for the year 1892, beg leave to report that they have had the same under consideration and recommend that

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the sum of \$1,000.00 be appropriated in full for said claim.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 10, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred C. B. No. 65, beg leave to report as follows:

That it is of the opinion that the bill should be referred to the Committee on Judiciary, and request that it be so referred.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 10, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered C. B. No. 12, entitled A Bill to Amend Chapter XIII, Volume 2, Compiled Laws, 1888, entitled Procedure of Probate Courts, etc., beg leave to report the same, with the recommendation that it do pass.

Also C. B. No. 1 (substitute) A Bill for An Act Constituting Eight Hours a Day's Labor, etc., with the recommendation that it do pass.

Also C. B. No. 54, with amendments, *i. e.*, insert after "all" in line 1, section 4, "records and," and insert after "payment" in line 3 section 4, "of such records and supplies and"; with recommendation that as amended it do pass.

Also C. B. No. 56, A Bill to Authorize Justices of the Supreme Court to Employ Stenographers, etc., with recommendation that it do not pass.

Also report of Court Commissioner of First Judicial

District, with recommendation that it be referred to the Committee on Ways and Means.

VARIAN,  
Chairman of Committee.

Received.

CONSIDERATION OF REPORTS OF COMMITTEES.

H. B. No. 101, by Committee on Municipal Corporations—Substitute for H. B. No. 80, relating to Board of Police and Fire Commissioners, was read first and second times, under suspension of the rules, ordered printed and placed on file for third reading.

On motion, H. B. No. 89 was laid on the table.

On motion of Mr. Stanford, the report of World's Fair Commission was adopted.

H. C. No. 37 was referred to Committee on Appropriations.

H. C. No. 33, claim of L. G. Hardy. Mr. Sears moved to recommit.

Carried.

Mr. Varian moved to refer the matter of claims to the Committees on Appropriations and Claims, with instructions to formulate and report a rule governing the disposition of said claims.

Motion carried, and further reports from the Committee on Claims delayed until such report be submitted.

C. B. No. 65 was referred to the Committee on Judiciary.

On motion of Mr. Varian, the report of the Judiciary Committee was adopted.

Report of the Court Commissioners of the First Judicial District was referred to the Committee on Ways and Means.

Mr. Mason excused.

## UNFINISHED BUSINESS.

Following House Bills reported back by Conference Committee, February 9th, were considered, amendments concurred in and bills sent to Enrollment Committee.

H. B. Nos. 12, 42, 46.

Also H. J. M. No. 13.

## READING OF BILLS.

The following H. and C. Bills were read first and second time by title, under suspension of rules:

H. B. No. 102, by Committee on World's Columbian Fair—A Bill for An Act making an Appropriation to Defray Expenses of the World's Fair Commission.

Ordered printed and referred to Committee on Ways and Means.

H. B. No. 103, by Mr. Powers—To Prevent Officers and Members of Police Force from Accepting other Offices. Referred to Committee on Municipal Corporations.

H. B. 104, by Mr. Wines (by request)—An Act Creating a Commission of Irrigation and Defining its Duties. Referred to Committee on Irrigation and Agriculture.

C. B. No. 30, by John E. Booth—An Act for the Relief of Volunteer Firemen.

Referred to Committee on Municipal Corporations.

H. B. No. 105, by Mr. Allen (by request)—A Bill for An Act in Relation to Assignments for the Benefit of Creditors.

Referred to Committee on Judiciary.

H. B. No. 106, by Mr. Varian—A Bill for An Act to Amend Compiled Laws, Section 3654, Code of Civil Procedure.

Read in full first time, second time by title and referred to Committee on Judiciary.

H. B. No. 107, by Mr. Monson (by request)—To Amend the Compiled Laws, 1888, relating to Granting of Licenses for Sale of Intoxicating Liquors.

Referred to Committee on Judiciary.

H. B. No 108, by Mr. Warner (by request)—Relating to Duties of Clerks of District Courts.

Referred to Committee on Judiciary.

H. J. R. No. 6, by Committee on Claims and Public Accounts—Substitute for H. J. R. No. 4, by Mr. Varian, relating to Costs and Expenses of Criminal Prosecutions.

Referred to Committee on Judiciary.

H. B. No. 109, by Mr. Powers—An Act Regulating the Practice of Dentistry in Utah.

Referred to Committee on Judiciary.

### THIRD READING OF BILLS.

H. B. No. 96, by Judiciary Committee—Substitute for H. B. No. 79, relating to Landlords and Tenants.

Bill passed—15 to 1.

Title approved.

### ROLL CALL ON PASSAGE OF H. B. NO. 96.

Ayes—Allen, Hatch, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Moore, Parsons, Powers, Stanford, Varian, Warner, Wines—15.

Noes—Pigman—1.

Excused—Tolton—1.

Absent—Clark, Dougall, Mason, Nebeker, Sears, Stoker,—6.

Mr. Wines, excused.

H. B. No. 97, by Municipal Corporations—Substitute for H. B. No. 90, by Mr. Hatch—Relating to the the Organization of Towns.

Bill as amended passed—16 to 0—and title approved.

### ROLL CALL ON PASSAGE OF H. B. NO. 97.

Ayes—Allen, Hatch, Hubbard, Ivins, McBride, McKay, Monson, Moore, Parsons, Pigman, Powers, Stanford, Tolton, Varian, Warner, Mr. Speaker—16.

Noes—0.

Absent—Clark, Dougall, Johnson, Mason, Nebeker, Sears, Stoker, Wines—8.

Mr. Tolton was excused.

C. B. No. 55, by Mr. Williams—Relating to Employment of Stenographers and Amanuenses.

Bill lost—1 to 14.

#### ROLL CALL ON PASSAGE OF C. B. No. 55.

Ayes—Powers—1.

Noes—Allen, Hatch, Hubbard, Ivins, McBride, McKay, Monson, Moore, Parsons, Pigman, Stanford, Varian, Warner, Mr. Speaker—14.

Absent—Clark, Dougall, Johnson, Mason, Nebeker, Sears, Stoker, Tolton, Wines—9.

H. B. No. 24, by Mr. Allen—Relating to Free Public Employment Offices.

On motion of Mr. Allen, the bill was referred to Committee on Judiciary.

Resolution by Mr. Parsons, for Committees on Claims and Appropriations:

#### RESOLUTION.

*Resolved*, That all reports from the Committee on Claims with their recommendations, be received and referred to the Committee on Appropriations, without further orders.

PARSONS,

Chairman Committee on Appropriations.

SEARS,

Chairman Committee on Claims and Public Accounts.

February 10, 1894.

Adopted.

Mr. Varian was excused Monday and Tuesday, February 12th and 13th. Mr. Hatch excused Monday and Tuesday. Mr. McBride excused Monday and Tuesday.



On motion of Mr. Ivins the House adjourned at 4:20 p. m. until Monday, 2 p. m.

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### THIRTY SIXTH DAY.

House of Representatives,  
Monday, February 12, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the thirty-fourth day read, corrected and approved.

#### PRESENTATION OF PETITIONS.

H. P. No. 40, by Mr. Johnson—Petition of Fifty-three Citizens of Sanpete County, Protesting Against Medical Legislation.

Referred to Committee on Public Health.

H. P. No. 41, by Mr. Pigman—Petitions of Citizens of Utah, Protesting Against the Repeal of the Medical Laws.

Referred to Committee on Public Health.

H. P. No. 42, by Mr. Dougall—Petition from George A. Hicks, asking for the Passage of Certain Laws..

Read at length and further consideration indefinitely postponed.

H. P. No. 43, by Mr. Wines—Petition of Citizens of Utah, asking Passage of H. B. No 80.

Referred to Committee on Fish and Game.

H. C. No. 45, by Mr. Hubbard—Claim of Box Elder County, for Payment of One-half Cost of Maps. etc., \$413.77.

Referred to Committee on Claims.

H. C. No. 46, by Mr. Johnson—Claim of Sanpete County, for One-half Cost of Maps, etc., \$591.29.

Referred to Committee on Claims.

H. C. No. 47, by Mr. Johnson—Claim of Sanpete County, for Criminal Prosecutions, \$12,262.70.

H. C. No. 48, by Mr. Tolton—Sidney Tanner, to Recover \$740 Paid on Bond.

Referred to Committee on Claims.

H. P. No. 44, by Mr. Tolton—Citizens of Wayne County, asking Annexation of Part of Garfield County.

Referred to Committee on Counties.

H. P. No. 45, by Mr. Tolton—Citizens of Wayne County, asking Appropriation for Repair of Roads.

Referred to the Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

#### JUDICIARY.

Committee Room,  
February 12, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 24, beg leave to report that they recommend that the House do not concur in the Council amendments to the same.

They also recommend that C. B. No. 65, be amended as follows:

Insert after line 12, section 1, "Sec. 2. This Act shall take effect on and after its approval."

ALLEN,  
Acting Chairman.

Received.

## RULES.

House of Representatives,  
Committee Room,  
February 12, 1894.

Mr. Speaker:

Your Committee on Rules, having duly considered H. R. No. 16, beg leave to report as follows:

A majority of your Committee recommend that said H. R. No. 16, be not adopted.

JOHNSON,  
Chairman of Committee.

Received.

House of Representatives,  
Committee Room,  
February 12, 1894.

Mr Speaker:

Your Committee on Ways and Means respectfully represent that a similar condition financially confronts the present Legislature to that which has attended the last four sessions.

In January, 1888, the Appropriation Bill provided	
for an expenditure for the two years ensuing	
in excess of revenue to the amount of.....	\$177,775 50
In January, 1894, for.....	303,760 81
In January, 1892, for.....	258,343 67
	<hr/>
Making a total of.....	\$740,099 04

To meet these deficits bonds were issued in

1888, First Series for.....	\$150,000 00
1890, Second Series for.....	300,000 00
1892, Third Series for.....	250,000 00
	<hr/>
Total amount of bonds issued,	\$700,000 00

This entire amount has been absorbed in meeting the biennial deficits herein enumerated, leaving a balance for the present Legislature to provide for of \$40,099.04. Your committee have carefully considered every item of expen-

diture necessary to be made, based upon reports received, for the ensuing two years ending December 31, 1895, a detailed statement of which is hereto attached. These items represent the amounts necessary for the maintenance of the Territorial public institutions, the payment of salaries of officers, jurors, witnesses, interest on bonds, contingent expenses, World's Fair Commission exhibits, etc., and to meet claims now being considered by the Committee on Claims and Public Accounts. In this statement your committee have deemed it absolutely necessary to provide that certain salaries should be reduced and appropriations to counties be limited to about fifteen thousand dollars—about one-half the amount appropriated to counties in 1892. In the estimate submitted your Committee have not provided for the appropriation of any sums for the erection or repairs of public buildings, University supplies, bounties, militia, etc., and in anticipating that the revenue from all sources will be the same as last year, there will then be a deficit of about \$295,000.00. Your Committee do not think it would be good policy or correct business financiering to follow the example of our predecessors to meet this deficit by the issuance of bonds. Where such a policy would lead to, if continued, is apparent to all. Your Committee, therefore, recommend that the general tax be increased from two mills to three and one-fourth mills on the dollar on all the taxable property of the Territory. Your Committee having under consideration the new bill providing for revenue will suggest this amendment in reporting said revenue bill to the House, when the propriety of adopting said amendment can be debated and passed upon.

Your Committee further recommend, in view of early Statehood, the Territory having no Capitol Building in which to transact public business, and having to pay out annually large sums of money for the rental of offices, court rooms and halls for Legislative purposes, and for other reasons in part referred to in the Message of his Excellency, Governor Caleb W. West, that this Legislative Assembly provide for the issuing of bonds to the amount of two hundred thousand dollars, one hundred and twenty-five thousand of which shall be expended in the erection of one wing of a Capitol Building, the remainder to be placed in the Territorial Treasury, so that the Treasurer can meet the Auditor's warrants provided to be issued by the Appropria-

tion Bill and not to have to wait the returns on taxes for six months or more before such warrants can be cashed, and thus save to the Territory several thousand dollars annually which for many years past has been paid in discounts or interest, or both, on said warrants issued for the maintenance of Territorial institutions. The advantage to the Territory being in the difference in the rates of interest as between money obtained on bonds at the rate of five per cent per annum and that paid to banks which has not been less than ten, and more frequently twelve per cent per annum.

STANFORD,

Chairman.

*Amounts Proposed for Counties.*

Garfield .....	\$ 1,000 00
Iron .....	1,000 00
San Juan .....	1,000 00
Piute .....	1,000 00
Kane .....	1,000 00
Morgan .....	500 00
Millard .....	1,000 00
Beaver .....	1,000 00
Emery .....	1,000 00
Wasatch .....	500 00
Uintah .....	1,000 00
Washington .....	1,000 00
Rich .....	500 00
Sevier .....	1,000 00
Tooele .....	1,000 00
Grand .....	1,000 00
Wayne .....	1,000 00
Sanpete .....	500 00
<hr/>	
\$16,000 00	

*Reductions Proposed in Salaries of Territorial Officers for  
the two years, 1894 and 1895.*

Auditor .....	\$ 800 00
Treasurer .....	400 00
Private Secretary of Governor .....	400 00
School Commissioner .....	600 00
Fish Commissioner .....	400 00
Territorial Board of Equalization, less than the years 1892 and 1893.....	1,500 00
Rent of offices, about.....	400 00
<hr/>	
Total ..	\$ 4,500 00

Amount less for Territorial proportions to be paid Assessors and Collectors than amount paid in the years 1892 and 1893 .....	\$ 5,574 00
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Total.....	\$ 10,074 00

*Estimated Expenditures for the Years 1894 and 1895.*

1894, Dec. 31, deficit as per Auditor's Report ..	\$ 40,099 04
Maintenance Insane Asylum .....	95,000 00
Maintenance Agricultural College.....	40,000 00
Maintenance Reform School.....	32,000 00
Maintenance University of Utah .....	90,000 00
Expense World's Fair Exhibit.....	59,557 25
Court Commissioners, Jurors and Witnesses ..	80,000 00
Outstanding Certificates of Jurors, etc., .....	20,000 00
Appropriation to Counties, Roads, Bridges ....	16,000 00
D. A. & M. Society, deficit .....	2,939 75
D. A. & M. Society expense and premiums '94-95	15,000 00
Territorial Board of Equalization, deficit.....	617 07
Territorial Board of Equalization, expenses for 1894 and 1895.....	4,500 00
Capitol Grounds, expenses for 1894 and 1895..	5,000 00
Capitol Grounds to complete improvements ...	12,000 00
Salary Territorial Auditor ..	4,000 00
Salary Territorial Treasurer.....	2,000 00
<hr/>	

*Carried Forward, - - - - - \$518,713.11*

<i>Forward,</i> - - - - -	\$518,713.11
Salary Private Secretary of Governor .....	2,000 00
Salary School Commissioner .....	2,400 00
Traveling Expenses School Commissioner ....	1,000 00
Printing etc., for Public Schools .....	800 00
Salary Territorial Librarian.....	1,000 00
Salary Fish Commissioner.....	600 00
Salary District Court Judges.....	8,000 00
Salary Clerk District Court ..	4,000 00
Salary Chair of Mineralogy .....	2,500 00
Books and Stationery.....	3,000 00
Rent of Office Auditor and Recorder M. & B...	1,080 00
Auditor's Contingent Expense Account .....	500 00
Sealer of Weights and Measures Office .....	300 00
Contingent Expense of Legislature .....	3,000 00
Printing for Legislature.....	2,000 00
Fugitives from Justice.....	2,500 00
District Courts.....	3,000 00
To meet Claims now being considered by Committee on Claims .....	90,000 00
Interest on Bonds for 1894 and 1895 .....	70,000 00
Expense Treasurer's Office.....	500 00
Expense School Commissioner's Office .....	200 00
Publishing Marks and Brands.....	400 00
Territorial Proportion of Salaries of Assessors and Collectors .....	40,000 00
<b>Total.....</b>	<b>\$757,493 11</b>

### *Resources.*

General Tax for 1892 and 1893, and which will probably be decreased for 1894 and 1895, derived from assessed valuation of property of \$115,114,842.00 at $3\frac{1}{4}$ mills on the dollar for two years, equals.....	\$748,246 47
Fines and forfeitures.....	2,500 00
Jury fund .....	10,000 00
<b>Total.....</b>	<b>\$760,746 47</b>



## CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Allen, the House refused to concur in Council amendment to H. B. No. 24.

Mr. Allen moved that a Conference Committee be appointed.

Adopted.

On motion of Mr. Allen, amendment to C. B. No. 65 was adopted and bill filed for third reading.

On motion of Mr. Ivins, the report and recommendations of Committee on Rules were adopted.

On motion of Mr. Stanford, the report of Committee on Ways and Means was laid on the table and 250 copies ordered printed for use of members.

## UNFINISHED BUSINESS.

## REPORTS OF CLAIMS AND PUBLIC ACCOUNTS.

Committee Room,  
February 10, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 40, of Davis County, for one-half the expense of correcting and preparing plats and maps for the assessor for the years 1892 and 1893, have had the same under consideration, and recommend that the sum of \$124.80 be appropriated.

SEARS,  
Chairman of Committee.

Received, and H. C. No. 40 referred to Committee on Appropriations.

Mr. Stanford offered the following resolution:

*Resolved*, That the Committee on Contingent Expenses is hereby authorized to pay from the Contingent Expense fund the sum of seven dollars to pay for one month's rental

of a typewriting machine now being used by the several standing committees of the House.

On motion of Mr. Stanford, the resolution was adopted.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 9, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has rejected H. B. No. 11, Providing a Lien for Attorneys, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 9, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 27, to amend the Act relating to General Revenue for the Territory, Counties, etc. Ayes, 11; noes, 0; absent 1; and the same is herewith forwarded for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 27 placed on file for first reading.

Council Chamber,  
February 10, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. C. R. No. 10, Authorizing Councilor E. W. Taylor to sign for and in behalf of the Legislative Assembly the contract with the Salt Lake Lithographing Company for the Public Printing, etc., has, under a suspension of the rules, passed

the Council and is herewith transmitted for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. C. R. No. 10 was concurred in and Council notified.

Council Chamber,  
February 10, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that your communication of this date, regarding H. J. R. No. 5, has been considered, and that the Council resolved, That no Bills should be received by the Assembly after the fiftieth day of its session, except by "consent of three-fourths majority," instead of "unanimous consent." Also that H. J. R. No. 5, was amended to read H. C. R. No. 5.

H. J. R. No. 5 did not accompany your notification of its adoption by the House.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and Council amendments adopted and Council notified.

Council Chamber,  
February 10, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 51 (substitute) To provide for the Organizing and regulating the Business of Life Insurance Companies Ayes, 11; noes, 0; absent, 1; and that the same is herewith sent for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 51 (substitute) was filed for first reading.

Chair appointed as Conference Committee on H. B. No. 24, Messrs. Allen and Powers.

## THIRD READING OF BILLS.

C. B. No. 1 (substitute), by Mr. Taylor—An Act Constituting Eight Hours a Day's Labor, etc.

Bill as amended passed—vote, 16 to 2—and Council notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 1 (SUBSTITUTE).

Ayes—Allen, Dougall, Ivins, Johnson, Mason, McKay, Moore, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—16.

Noes—Hubbard, Monson—2.

Absent—Clark, Hatch, McBride, Nebeker, Parsons, Varian—6.

C. B. No. 12, by Mr. Taylor—To amend Chapter 13 Volume II, Compiled Laws, 1888, entitled, Procedure of Probate Courts in settlements of Estates and in Guardianship.

Bill, as amended, passed—vote 18 to 0—and Council, notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 12.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—18.

Noes—0.

Absent—Clark, Hatch, McBride, Nebeker, Parsons, Varian—6.

C. B. No. 54, by Mr. Seaman—An Act Authorizing Auditor of Public Accounts to Procure Records, etc., for Use of Clerks of District Courts.

Bill as amended passed—18 to 0—and Council notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 54.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—18.

Noes—0.

Absent—Clark, Hatch, McBride, Nebeker, Parsons, Varian—6.

H. B. No. 101, by Committee on Municipal Corporations—Substitute for H. B. No. 89, by Mr. Powers, relating to Board of Police and Fire Commissioners.

Made special order for Tuesday, February 13, at 3 p.m.

On motion of Mr. Allen, the House adjourned at 3:25 p. m.

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### THIRTY-SEVENTH DAY.

House of Representatives,  
Tuesday, February 13, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the thirty-sixth day read, corrected and approved.

#### PRESENTATION OF PETITIONS.

Report No. 4, by Mr. Stoker—Report of George D. Pyper, Court Commissioner of the Third Judicial District Referred to Committee on Ways and Means.

H. P. No. 46, by Mr. Ivins—Petition of Citizens of Garfield County, Protesting Against Changing Boundary Lines.

Referred to Committee on Counties.

H. P. No. 47, by Mr. Ivins—Petition of Garfield County, Asking an Appropriation of \$1,500 for Roads.

Referred to Committee on Ways and Means.

H. C. No. 49, by Mr. Allen—Claim of Thomas W. Russell, for \$80.55, for Services as Justice of the Peace in Mill Creek Precinct.

Referred to Committee on Claims.

H. C. No. 50, by Mr. McKay—Claim of Fish Commissioner, for \$7.30.

Referred to the Committee on Claims.

INVITATION FROM THE UNIVERSITY.

University of Utah,  
Salt Lake City,  
February 13, 1894.

To the Honorable Speaker and Members of the House of Representatives, of the Utah Legislature:

Gentlemen:

In behalf of the Faculty of the University of Utah, I take pleasure in extending to you an invitation to visit the University in a body to-morrow, (Wednesday) at 10 a. m., if it shall be convenient to do so.

Respectfully,  
J. T. KINGSBURY,  
Acting President.

Invitation accepted with thanks, and Wednesday, February 14th, 11 a. m., set as time for visit.

REPORTS OF STANDING COMMITTEES.

CLAIMS AND PUBLIC ACCOUNTS

Committee Room,  
February 13, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred House Petition No. 19, of Samuel H. Conley, asking for an appropriation for office rent for the office of Territorial Sealer of Weights and Measures for the four years last past, beg leave to report that they have had the same under consideration and find that the former Legislatures, in 1890 and 1892, made appropriations for the rent of his office in connection with the offices of Treasurer, Auditor and Recorder of Marks and Brands; and we

therefore recommend that this petition and claim for office rent be not allowed.

SEARS,  
Chairman of Committee.

Received.

MILITIA.

Committee Room,  
February 12, 1894.

Mr. Speaker:

The Committee on Militia of the House and Council, acting as a Joint Committee, having had under consideration C. B. No. 17, and H. B. No. 39, Bills for An Act to Provide for the Organization of a Territorial Militia, beg leave to report that we have agreed on a Substitute, and recommend that the Substitute be printed and put on its passage.

S. G. PIGMAN,  
Chairman of House Committee.  
H. E. BOOTH,  
Chairman of Council Committee.

Received.

COMMITTEE ON ENROLLMENT.

Committee Room,  
February 13, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 51, An Act relating to the Election of Mayor, pro tem, also H. B. No. 59, An Act relating to Laying Out and Platting of Towns, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.



Committee Room,  
February 13, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 13, relating to the Survey of Coal Lands, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
February 13, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 12, An Act relating to Fees of Reporters in Cases of Impecunious Persons, etc., also, H. B. No. 41, An Act relating to Prohibiting Attorneys from Becoming Surety, etc., also H. B. No. 46, An Act relating to Assessments, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
February 13, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 42, An Act relating to Payment of Jurors, Witnesses, etc., beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

## COMMITTEE ON JUDICIARY.

Committee Room,  
February 13, 1894.

Mr Speaker:

Your Committee on Judiciary, to whom was referred H. B. 109, having duly considered the same, beg leave to report that they recommend that it be referred to the Committee on Public Health.

They also offer the following amendment to H. J. R. No. 6, which is a substitute for H. J. R. No. 4: Strike out the word "it" in line 2, of paragraph 3, and insert in lieu thereof the word "hereby," and they recommend it do pass as amended.

ALLEN,  
Acting Chairman.

Received.

## CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Tolton, the report of Committee on Claims was adopted.

H. B. No. 109 was referred to Committee on Public Health.

On motion of Mr. Allen, the amendments to H. J. R. No. 6 was adopted.

H. B. No. 39 was laid on the table.

## INTRODUCTION AND READING OF BILLS.

The following bills were read first and second times by title, under suspension of the rules:

H. B. No. 110, by Committee on Militia—Substitute for H. B. No. 39, and C. B. No. 17, relating to Organization of Militia.

Ordered printed and filed for third reading.

H. B. No. 111, by Mr. Powers—A Bill for An Act Providing a New Section of the Code of Civil Procedure.

Read at length first time, second time by title and referred to Committee on Judiciary.

H. B. No. 112, by Mr. Wines (by request)—Relating to Fish Hatcheries.

Referred to Committee on Fish and Game.

H. B. No. 113, by Mr. Tolton—A Bill for An Act Attaching a Part of Garfield County to Wayne County.

Read at length first time, second time by title, and, with petition favoring same, referred to Committee on Counties.

C. B. No. 27, by Mr. John E. Booth—A Bill for An Act Amending Compiled Laws, relating to General Revenue for Territory, Counties and Schools.

Referred to the Committee on Ways and Means.

C. B. No. 51, Substitute, by Committee on Private Corporations—A Bill for An Act to Provide for Organizing and Regulating the Business of Insurance Corporations.

Referred to Committee on Private Corporations.

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,

February 12, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has concurred in the amendments made by the House to C. B. No. 54, relating to the Procuring of Records, etc, for the use of the Clerks of the District Courts, and has ordered engrossment of the bill.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

Council Chamber,

February 12, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 45, intended to Protect the Dairy Interest of the

Territory of Utah, as amended, has passed the Council; 11 ayes; noes, 0; absent, 1; and is herewith presented for your consideration.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 45 placed on file for first reading.

### THIRD READING OF BILLS.

C. B. No. 65, by Mr. H. E. Booth—A Bill for An Act to relieve W. J. Shields from a judgment in fayor of Utah Territory.

On motion of Mr. Allen, the bill was recommitted.

H. J. R. No. 6, by Claims Committee—Substitute for H. J. R. No. 4, Relating to Costs and Expenses of Criminal Prosecutions, etc., on motion of Mr. Sears, the resolution was laid on the table.

### SPECIAL ORDER.

Consideration of H. B. No. 101, by the Committee on Municipal Corporations, Substitute for H. B. No. 89, To appoint a Board of Police and Fire Commissioners.

After discussion, Mr. Johnson moved to further consider the bill on Saturday, February 17, at 3 p. m.

Carried.

The House consenting, Mr. Stanford presented the following H. C. R. No. 4:

*Resolved*, The Council concurring, that 250 copies of the reports of the Commissioners of the World's Columbian Fair and 250 copies of the report of the Committee on Ways and Means, Relating to Revenue be printed, for the use of the members of both the House and Council.

STANFORD.

Adopted.

The House consenting, Mr. Allen presented the following:

H. B. No. 114, by Mr. Allen—To Amend Part 1, Chapter V, Section 44, Code of Civil Procedure, Relating to Courts.

Bill read at length first time, second time by title under suspension of rules, and referred to Committee on Judiciary.

On motion of Mr. Johnson, the House adjourned at 4:40 p. m.

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### THIRTY-EIGHTH DAY.

House of Representatives,  
Wednesday, February 14, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the thirty-seventh day read, corrected and approved.

#### PRESENTATION OF PETITIONS.

H. P. No. 48, by Mr. Stoker—Petition of Citizens of Davis County, protesting against Medical Legislation.

Referred to Committee on Public Health.

H. P. No. 49, by Mr. Clark (by request)—Petition of Citizens of Wayne County, protesting against Medical Legislation.

Referred to Committee on Public Health.

H. P. No. 50, by Mr. Powers—Citizens of Utah, asking Repeal of Medical Laws.

Referred to Committee on Public Health.

H. P. No. 51, by Mr. Dougall—Citizens of Utah County protesting against passage of H. Bills Nos. 68, 69 and 70, and C. B. No. 15, relating to Horticulture, etc.

Referred to Committee on Agriculture and Irrigation.

H. C. No. 51, by Mr. Hatch—Claim of Grand County, for Criminal Prosecutions, \$1,011.36.

Referred to Committee on Claims.

H. P. No. 52, by Mr. Tolton—Residents of Piute County, for Appropriation for Wagon Roads, \$6,000.

Referred to Committee on Ways and Means.

H. C. No. 52, by Mr. Stoker—Claim of Davis County, for \$45.05 for Criminal Prosecutions.

Referred to Committee on Claims.

H. C. No. 53, by Mr. Mason (by request)—Claim of George D. Barnard & Co., for court supplies, \$1,555.75.

Referred to Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

##### MINORITY REPORT OF COMMITTEE ON MANUFACTURES AND COMMERCE.

Mr. Speaker:

As a minority of your Committee on Manufactures and Commerce, we beg to dissent from the views of the majority on H. B. No. 90, Substitute for H. B. No. 47.

The people, and especially those engaged in beet raising, have not asked for this measure and are not asking for it. On the contrary these very people most nearly interested in this matter are here, irrespective of party politics, in large numbers, by petition, protesting against such legislation. It is class legislation in its worst form and can have but one effect, that of creating an inclination on the part of the people to depend upon the Government for support. This is reversing the order of things. The people are expected to support the Government and not the Government the people. If it be claimed that it is a public benefit to vote this bounty then, in the interest of all the people, amend this bill and vote a bounty to the raising of carrots, potatoes, barley, hops, wheat, oats, corn and the other agricultural products, for certainly the man who produces any one of these can not be said to be less

deserving than his neighbor who produces the beet. It is a fact that will not be denied that a majority of the land heretofore planted in beets in this Territory gives a larger yield in value per acre than that which produces wheat, and yet the wheat-raisers are left to struggle in the raging and hotly contested warfare of life unaided and unprotected by any means except the exercise of his own good judgment and the brawn of his own mighty right arm.

This bill is, beyond question, a partisan measure. It is "protection run mad." It actually collects and extorts money as taxes from every other farmer in the Territory in order that it may be turned over into the pockets of that favored class of farmers known as beet-raisers.

This kind of legislation is not only wrong in principle but is contrary to Constitutional forms, and the United States Supreme Court has passed upon the bounty question in the following words:

"To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals, to aid private enterprises and build up private fortunes, is none less than robbery because it is done under the forms of law and is called taxation." This is not legislation. It is a decree under legislative form. Nor is it taxation. "A tax," says Webster's Dictionary, "is a rate or sum of money assessed on the person or property of a citizen by the Government for the use of a Nation or State. Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes. We have established, we think, beyond cavil, that there can be no lawful tax which is not laid for a public purpose. If it be said that a benefit results to the local public of a town by establishing manufactures, the same may be said of any other business or pursuit which employs capital or labor. The merchant, the mechanic, the inkeeper the banker, the builder, the steamboat owner, are equally promoters of the public good, and equally deserving the aid of the citizens by forced contributions. No line can be drawn in favor of the manufacturer which would not open the coffers of the public treasury to the importunities of two-thirds of the business men of the city or town."

Thus the highest tribunal of our country has declared upon this question of bounties.

In the language of that august court, if it be said that



a benefit results to the local public of any vicinity by fostering the raising of beets, the same may be said of any other kind of farming, and the potato-raiser is entitled to and should demand a bounty upon the products of his labor, for he is equally a promoter of the public good with his neighbor who produces beets. Indeed, it is said, and with all the force of incontrovertible truth, that no line can be drawn in favor of beet raising, which would not open the treasury vaults of our Territory to the demands of every farmer within its broad limits.

Respectfully submitted,

AQUILA NEBEKER,  
STOKER.

Received.

#### CLAIMS.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Claims, to whom was referred House Claim No. 46, of Sanpete County for plats and maps furnished the County Assessor during the years 1891 and 1892, beg leave to report that they have had the same under consideration, and recommend that the amount of the claim, to-wit: \$553.79, be appropriated. The first item on the bill is not allowed, for the reason that the date of said item is prior to the passage of the law authorizing such payment.

SEARS,  
Chairman of Committee.

Received.

#### AGRICULTURE AND IRRIGATION.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to which was referred H. B. No. 17, A Bill to Regulate the Use of Artesian Wells, etc., report that we have considered

the same and herewith present a substitute therefor and recommend that the substitute be printed and placed upon its passage.

WM. H. CLARK,  
Chairman of Committee.

Received.

WAYS AND MEANS.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that they recommend that H. B. No. 102, An Act Making An Appropriation to Defray the Expense by the Utah World's Fair Commission in making an exhibit for Utah at the World's Columbian Exposition at Chicago, in the years 1892 and 1893, do pass.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that a majority of the committee recommend that H. B. No. 43, An Act Repealing Chapter XIX, Session Laws of 1890, relating to Bounty for Destruction of Birds and Wild Animals, do pass.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that they recommend that H. C. R. No. 3 do pass.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that they have duly considered H. P. No. 37, and have concluded that under the present financial condition of the Territory, appropriations for roads and bridges can only be made to the large counties, which are sparsely settled and have long and bad roads

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that H. R. No. 14 is fully covered by a revenue bill to be presented by your committee.

STANFORD,  
Chairman of Committee.

Received.

#### MUNICIPAL CORPORATIONS.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations, having duly considered C. B. No. 42, beg leave to report as follows:  
We recommend that it do pass.

JOHNSON,  
Chairman of Committee.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations, having

duly considered H. B. No. 103, beg leave to report as follows: We recommend that the same do pass.

JOHNSON,  
Chairman of Committee.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations, having duly considered C. B. No. 30, beg leave to report as follows: We recommend that the same do pass.

JOHNSON,  
Chairman of Committiee

Received.

PUBLIC HEALTH.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Public Health, having duly considered H. B. No. 56, beg leave to report as follows: We return same with amendments, and recommend that the bill as amended do pass.

WINES,  
Chairman of Committee.

Received.

JUDICIARY.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Judiciary beg leave to report that they recommend that H. B. No. 107 do not pass.

ALLEN,  
Acting Chairman.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Judiciary beg leave to report the ac-

companying substitute for H. B. No. 100, and recommend that it do pass.

ALLEN,  
Acting Chairman.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Clark, H. B. No. 17 was laid on the table.

On motion of Mr. Allen, H. B. No. 100 was laid on the table.

H. C. No. 46, claim of Sanpete County, was referred to Committee on Appropriations.

#### READING OF BILLS.

Following Bills were read first and second times by title under suspension of the rules:

H. B. No. 155, by Committee on Agriculture and Irrigation—Substitute for H. B. No. 17, relating to Artesian Wells.

Ordered printed and filed for third reading.

H. B. No. 116, by Committee on Judiciary—Substitute for H. B. No. 100. To amend Section 2426, Compiled Laws, relating to Irrigating Companies and Districts, etc.

Ordered printed and filed for third reading.

H. B. No. 117, by Mr. Allen—A Bill for An Act Providing for payment of Jurors and Witnesses, etc.

Referred to Committee on Judiciary.

C. B. No. 45, by Mr. Lund—An Act to Protect the Dairy Interests, etc.

Referred to Committee on Agriculture and Irrigation.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
February 13, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. C. R. No. 8, viz:

*"Be it Resolved,* The House concurring, that it is unwise and improvident on behalf of this Territory for the Legislature to make further appropriations for permanent improvements to be placed upon lands to which the Territory has not the title in fee simple," and is hereby presented for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

House refused to concur in C. C. R. No. 8. Vote, 14 to 10, and Council notified.

## ROLL CALL TO CONCUR IN C. C. R. NO. 8.

Ayes—Dougall, Hatch, Hubbard, Johnson, McBride, Moore, Nebeker, Tolton, Warner, Wines—10.

Noes—Allen, Clark, Ivins, Mason, McKay, Monson, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Varian, Mr. Speaker—14.

## INVITATION FROM THE CHURCH UNIVERSITY.

Salt Lake City,  
February 14, 1894.

To the Honorable Speaker and Members of the House of Representatives:

Gentlemen—A cordial invitation is hereby extended to you, collectively and individually, to visit the Church University at any time, and to attend any, or all, of the regular Monday night lectures on Chemistry, the Wednesday night lectures on Natural Philosophy, and the Friday night lectures on Light Science.

The subject for this (Wednesday) evening is: "Induced Electricity," and will be illustrated by many interesting experiments. On Friday evening an instructive lecture will be given upon the Physical Properties of the Atmosphere, which will be largely experimental in character.

We would be pleased to have you come in a body this evening, if possible, as we are desirous of showing you our equipments and methods.

Our building is located at 225 West First North Street, and our lectures commence at 7:30 p. m.

I have the honor to be, very respectfully,

Your obedient servant,

WILLARD YOUNG,  
President Church University.

Invitation accepted with thanks.

#### THIRD READING OF BILLS.

H. B. No. 102, Making an Appropriation for World's Fair Expenses.

Bill passed 23 to 1, and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 102.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

Noes—Nebeker—1.

H. B. No. 43, by Mr. Hatch—A Bill for An Act Repealing Chapter XIX, Session Laws of 1890, Relating to Bounty for Destruction of Birds and Wild Animals.

Bill passed, 19 to 4 and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 43.

Ayes—Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—19.

Noes—Allen, McBride, McKay, Parsons—4.



## SPECIAL ORDER.

The hour for the special order having arrived:

H. B. No. 98, by Mr. Varian—(Substitute for H. B. No. 47) was taken up for consideration.

On motion, the bill was laid on the table.

H. C. R. No. 3, by Mr. Tolton—Relating to the Distribution of a Certain Number of Copies of Compiled Laws.

On motion, H. C. R. No. 3, was recommitted to Committee on Ways and Means.

C. B. No. 42, by Mr. H. E. Booth—A Bill for An Act Extending the Time for Complying with the Provisions of Chapter V, Vol. 2, relating to Townsites, etc.

Bill passed, 23 to 0, and title approved.

## ROLL CALL ON PASSAGE OF C. B. NO. 42.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—23.

Noes—0.

Absent—Varian—1.

H. B. No. 103, by Mr. Powers—A Bill for An Act to Prevent Officers and Members of the Police of Cities of the First and Second Class from Accepting Other Offices.

Bill passed 22 to 1, and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 103.

Ayes—Allen, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Mr. Speaker—22.

Noes—Clark—1.

Absent—Wines—1.

C. B. No. 30, by Mr. John E. Booth—A Bill for the Relief of Volunteer Firemen.

Bill as amended passed, vote 18 to 6, title approved.

## ROLL CALL ON PASSAGE OF C. B. NO. 30.

Ayes—Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Stanford, Tolton, Varian, Warner. Mr. Speaker—18.

Noes—Allen, Hatch, Parsons, Sears, Stoker, Wines—6.

H. B. No. No. 56, by Mr. Johnson (by request)—A Bill for An Act to Protect the Raising of Sheep, the Wool, Cattle, and Farming Industries, etc.

Bill lost.

H. B. No. 107, by Mr. Monson (by request)—An Act to Amend Section 2158, Compiled Laws, 1888, relating to Granting of Licenses and for Sale of Intoxicating Liquors.

Bill lost, 9 to 14.

## ROLL CALL ON PASSAGE OF H. B. NO. 107.

Noes—Allen, Dougall, Hatch, Ivins, Johnson, Mason, McBride, McKay, Parsons, Sears, Stanford, Warner, Wines, Mr. Speaker—14.

Ayes—Clark, Hubbard, Monson, Moore, Nebeker, Pigman, Powers, Stoker, Tolton—9.

## COMMUNICATION FROM THE GOVERNOR.

Salt Lake City,  
February 13, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Amend Section 22, Chapter LXXIV, of An Act approved March 10, 1892, relating to the Payment of Jurors, Witnesses, etc.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

On motion of Mr. Tolton, the House adjourned at 4:45 p. m.

## THIRTY-NINTH DAY.

House of Representatives,  
Thursday, February 15, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call.—Quorum present.

Prayer by the Chaplain

Minutes of the thirty-eighth day read, corrected and approved.

## PRESENTATION OF PETITIONS.

H. P. No. 53, by Mr. McBride—Petition of Miners and Prospectors of West Mountain Mining District, against Passage of H. B. No. 52, by Mr. Hatch.

Referred to Committee on Mines and Mining.

H. P. No. 54, by Mr. McBride—Petition of Miners and Prospectors of Ohio Mining District, against Passage of H. B. No. 52, by Mr. Hatch.

Referred to Committee on Mines and Mining.

H. P. No. 55, by Mr. McBride—Petition of Miners and Prospectors of Camp Floyd Mining District against Passage of H. B. No. 52, by Mr. Hatch.

Referred to Committee on Mines and Mining.

H. P. No. 56, by Mr. Wines—Residents of Spanish Fork, asking Passage of Bill for Payment of Bounty on Sugar Beets.

Read at length and filed, to be taken up with H. B. No. 99.

H. C. No. 54, by Mr. McBride—Claim of Thos. White, Justice of the Peace, Kanyon Creek Precinct, for \$58.10.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## LIVE STOCK.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. B. No. 92, A Bill for An Act relating to Herding and Branding Cattle, etc., respectfully report that they have considered the same and recommend that the bill as amended do pass.

A. C. HATCH,  
Chairman of Committee.

Received.

Committee Room,  
February 15, 1894

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. B. No. 95, A Bill for An Act relating to the Disposal of Estrays, etc., respectfully report that they have considered the same and recommend that the bill do pass.

A. C. HATCH,  
Chairman of Committee.

Received.

## WAYS AND MEANS.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Ways and Means, having duly considered H. B. No. 74, relating to Revenue, beg leave to report as follows:

Your committee, deeming it necessary to make a number of amendments, and to add new sections to said bill, concluded unanimously to introduce a substitute for H. B. No. 74, which substitute we herewith submit, and recommend that the same be printed and put upon its passage, and that H. B. No. 74 lie upon the table.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that they recommend that H. B. No. 7, An Act Providing for the Payment of Jurors, etc., do pass.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report the following amendments to H. C. R. No. 3:

Insert after "counties" and before "freight," "on application;" and insert after "said laws" and before "of said counties," "for the use of county officers," and recommend that it do pass as amended.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that they recommend that four hundred dollars per annum be allowed the Clerk of the Second District Court and that the Territory pay for all stationery necessary in in said court, as per H. P. No. 15.

STANFORD,  
Chairman of Committee.

Received.

#### ENROLLMENT.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Enrollment desire to correct their

report of the 13th inst., page 224, thirty-seventh day, as follows:

H. B. No. 12—An Act relating to Prohibiting Attorneys from becoming Surety, etc.

H. B. No. 41—An Act relating to Fees of Reporters in Cases of Impecunious Persons, etc.

Said bills having been transposed in endorsing the contents of the same.

WARNER,  
Chairman of Committee.

Received.

JUDICIARY.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 108, An Act to Provide that the Clerk of the District Court shall Transmit to the Clerk of the Supreme Court of Appeals, etc., beg leave to report that they recommend that it do not pass.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered C. B. No. 65, An Act to Relieve Wm. J. Shields from a Judgment in favor of the Territory of Utah, etc., beg leave to report the following amendment:

Insert after the word "action" in line ten, the words "including fifty dollars attorney's fee," and they recommend that it do pass as amended.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered H. B. No. 94, An Act to Amend Section 3460, of the Compiled Laws of Utah, beg leave to report the enclosed substitute therefor, and recommend that it do pass, and that H. B. No. 94 lie upon the table.

VARIAN,  
Chairman of Committee.

Received.

#### CONTINGENT EXPENSES.

Committee Room,  
February 14, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, beg leave to report that they have examined the invoices for the following amounts, have found them to be correct, and recommend that they be approved and paid:

The Journal Publishing Company (Logan) .....	\$ 3 60
The Journal Publishing Company (Logan) .....	60
The Evening Sun (Ogden) .....	7 80
The Utonian (Beaver) .....	2 00
The Standard Publishing Company (Ogden) .....	9 00
Postoffice (Stamps) .....	5 00
The Enquirer Company (Provo) .....	14 00
Alex. Wallace (Wedge of Gold) .....	1 50
The Pyramid .....	50
Total .....	<u>\$44 00</u>

MCBRIDE,  
Chairman of Committee.

Received.

#### PRIVATE CORPORATIONS.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Private Corporations, to whom was referred H. B. No. 50, A Bill for An Act relating to



Payment of Employees of Corporations, respectfully report that they have considered the same and recommend that the bill do not pass.

Your Committee have also considered C. B. No. 51 (substitute) and recommend that the bill, as amended, do pass.

Your Committee have also considered H. P. No. 3, and return herewith a bill, and recommend that the same be read first and second time by title, ordered printed and placed on file for third reading.

C. P. MASON,  
Chairman.

Received.

#### MEMORIALS.

Committee Room,  
February 15, 1894.

Mr. Speaker:

Your Committee on Memorials, having duly considered C. J. M. No. 2, relating to Grants of Lands by Congress to Certain Public Institutions of Utah, beg leave to report as follows:

We present herewith an amendment to said memorial, recommend its adoption, and the passage of the memorial as amended.

ALLEN,  
Chairman.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. McBride, the report of the Committee on Contingent Expenses, recommending payment of \$44.00, was adopted.

On motion of Mr. Allen, the amendment proposed by Committee on Memorials to C. J. M. No. 2 was adopted.

On motion, the amendments of the Committee on Live Stock to H. B. No. 92, were adopted.

After discussion, the H. C. R. No. 3, was committed to the Judiciary Committee.

H. P. No. 15 was referred to the Committee on Appropriations.

C. B. No. 65, as amended, was filed for third reading.

On motion of Mr. Varian, H. B. No. 94 was laid on the table.

H. B. No. 74 was laid on the table.

H. B. No. 50 was placed on file for third reading.

C. B. No. 51 was placed on file for third reading.

H. P. No. 3 was laid on the table.

#### UNFINISHED BUSINESS.

On motion of Mr. Stanford, H. P. No. 37 was laid on the table.

#### SPECIAL ORDER.

H. B. No. 28, by Mr. Varian—Relating to Liens for Mechanics and Others.

Bill as amended was passed—24 to 0.

Title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 28.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

#### READING OF BILLS.

The following bills were read the first and second times by title, under suspension of the rules:

H. B. No. 118, by the Committee on Ways and Means—(Substitute for H. B. No. 74,) relating to Levying, Assessing, Collecting and disbursing of Public Revenue.

Ordered printed and filed for third reading.

H. B. No. 119, by the Judiciary Committee—(Substitute for H. B. No. 94,) An Act to Amend Section 3460 of the Compiled Laws.

Placed on file for third reading.

H. B. No. 120, by Mr. Clark—A Bill for An Act Amending the Session Laws, relating to School Trustees.

Referred to Committee on Education.

H. B. No. 121, by the Committee on Private Corporations—Requiring Railway Corporations to Post Notices of Number of Stock Killed, etc.

Ordered printed and placed on file for third reading.

H. B. No. 122, by Mr. Powers—A Bill for An Act Providing for Issuing Bonds.

Ordered printed and referred to the Committee on Ways and Means.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
February 15, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has appointed Councilors Taylor and Seaman conferees to meet Representatives Allen and Powers regarding H. B. No. 24.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion of Mr. Stanford, the report of the Committee on Ways and Means, relating to Revenue, was taken from the table and referred to the Committee on Appropriations.

On motion of Mr. Nebeker, the House adjourned at 4 p. m.

## FORTIETH DAY.

House of Representatives,  
Friday, February 16, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the thirty-ninth day read and approved.

Mr. Powers was excused for the day.

## PRESENTATION OF PETITIONS.

H. C. No. 55, by the Chief Clerk—Claim of County Court of Salt Lake County, for maps, etc., for \$1.602.50.

Referred to Committee on Claims.

H. P. No. 57, by Mr. Wines—Citizens of Alpine and other Precincts, asking for an appropriation of \$300.00 for making and repairing roads.

Read at length and referred to Committee on Ways and Means.

H. C. No. 56, by Mr. Johnson (by request)—Claim of Peter Thygersen and others, for witness fees, etc.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## MEMORIALS.

Committee Room,  
February 16, 1894.

Mr Speaker:

Your Committee on Memorials herewith report a House Joint Memorial, relating to the Removal of the Colorado Utes to Utah, and recommend its passage.

ALLEN,  
Chairman of Committee.

Received.

## EDUCATION.

Committee Room,  
February 16, 1894.

Mr. Speaker:

Your Committee on Education, to whom was referred H. B. No. 49, A bill for An Act relating to Leasing of School Lands, and a proposed amendment to the same, respectfully report that we have considered the same and recommend the rejection of the amendment and that the bill do not pass.

ALLEN, Chairman.

Received.

Committee Room,  
February 16, 1894.

Mr. Speaker:

Your Committee on Education to whom was referred H. B. No. 76, a Bill for An Act relating to County Boards of Examiners, respectfully report that we have considered the same, and recommend that the bill do not pass.

ALLEN,  
Chairmen of Committee.

Received.

## CLAIMS.

Committee Room,  
February 16, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 38, of the Utah Loan and Trust Company, for \$350, for rent of rooms, light, etc., for the Fourth District Court, beg leave to report that they have duly considered the same and recommend that the claim be rejected, as not being a proper charge against the Territory.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 16, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 10, of Morgan County, for \$257.55, beg leave to report that they have had the same under consideration and recommend that the sum of \$257.55 be appropriated in full for said claim, as follows:

For Territory's portion of maps and plats for county assessor, for 1892 and 1893, .....	\$192 55
For amount overpaid to Territory on property ille- gally assessed, notes and mortgages, .....	65 00
	<hr/>
	\$257 55

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 16. 1894

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 45, of Box Elder County, for \$413.77, for maps and plats furnished the Territory for the use of the assessor during 1892 and 1893, beg leave to report that they have had the same under consideration and recommend that the sum of \$413.77 be appropriated.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 16, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 28, of Weber County, for \$1289.35 for maps and plats for the use of the Assessor for the years 1892 and 1893, beg leave to report that they have had the same under consideration and recommend that the sum of \$1,239.35 be appropriated for maps and plats fur-

nished for the years 1892 and 1893, and that the sum of \$50 for the month of January, 1894, be not allowed in this claim as not being in the years above specified.

SEARS,

Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

On motion of Mr. Allen, the rules were suspended, and H. J. M. No. 14, reported by the Committee on Memorials, relating to the removal of Colorado Utes to Utah, was read first and second times by title, third time at length and passed, 21 to 0 and title approved.

#### ROLL CALL ON PASSAGE OF H. J. M. No. 14.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—Nebeker, Parsons, Powers—3

On motion, the amendment proposed to H. B. No. 49, was rejected, and bill filed for third reading.

H. B. No. 76 was filed for third reading.

Report of Committee on Claims, relating to H. C. 38, was adopted.

H. C. Nos. 10 and 28, Claims of Morgan County and Weber County, were referred to Committee on Appropriations.

#### READING OF BILLS.

The following bills were read the first and second times, by title, under suspension of the rules:

H. B. No. 123, by Mr. McBride—A Bill for An Act to Provide for the Payment of Additional Contingent Expenses.

Referred to Committee on Appropriation.



H. B. No. 124, by Mr. Johnson—An Act entitled An Act to Amend Section 1790, of Compiled Laws, 1888, and to repeal Chapter XXIV of the Session Laws of 1892, relating to Powers of Justices of the Peace.

Referred to Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

H. R. No. 21, by Mr. Sears:

*Resolved*, That the Territorial Treasurer be requested to furnish the House of Representatives with an itemized statement, with vouchers attached, of the disposition of the appropriation for incidental expenses of the office of Territorial Treasurer for the years 1892 and 1893; also the amount paid for rent of rooms for Treasurer for the years 1892 and 1893, with vouchers attached, and that the Clerk of the House be instructed to transmit a copy of this resolution to the Territorial Treasurer.

Adopted.

H. R. No. 22, by Mr. Sears:

*Resolved*, That the Territorial Auditor be requested to furnish the House of Representatives with an itemized statement, with vouchers attached, of the disposition made of the appropriation for incidental expenses of the offices of Auditor, Sealer of Weights and Measures and Recorder of Marks and Brands for the years 1892 and 1893. Also the amount paid, with vouchers attached, for rent of rooms for Auditor and Recorder of Marks and Brands for the years 1892 and 1893, and that the Clerk of the House be instructed to transmit a copy of this resolution to the Territorial Auditor.

Adopted.

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 15, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. J. M. No. 5, concerning the Repeal of

Certain Sections of the Poland and Edmunds-Tucker Acts of Congress—ayes, 12; noes, 0—and that it is herewith transmitted for your consideration.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received and C. J. M. No. 5 filed for first reading.

Council Chamber,

February 15, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 69, regulating Assignments for the Benefit of Creditors—ayes, 8; noes, 3; absent, 1—and it is herewith transmitted for your consideration.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received and C. B. No. 69 placed on file for first reading.

Council Chamber,

February 15, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 33, as received, Providing for the Employment of Needy and Deserving Laborers, etc.—ayes, 7; noes, 5—and it is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received and H. B. No. 33 sent to Committee on Enrollment.

Council Chamber,

February 14, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. J. M. No. 11, as received, relating to

opening the Uintah and Uncompaghre Indian Reservations, and that it is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and H. J. M. No. 11 sent to Committee on Enrollment.

### THIRD READING OF BILLS.

H. B. No. 110, by the Committee on Militia—Substitute for H. B. No. 39.

On motion of Mr. Ivins, the bill was made a special order for Monday, February 19, 1894, at 3 p. m.

H. B. No. 116, by the Committee on Judiciary—(Substitute for H. B. No. 100,) to Amend Section 2426, Compiled Laws of 1888, relating to Irrigating Districts, etc.

Bill as amended was passed—23 to 0—and title approved.

### ROLL CALL ON PASSAGE OF H. B. NO. 116.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Neberker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

Noes—0.

Absent—Powers—1.

H. B. No. 115, by Committee on Irrigation—(Substitute for H. B. No. 17, by Mr. Stoker,) to Regulate the Use of Artesian Wells.

Three o'clock, the hour for the special order, having arrived, further consideration of H. B. No. 115 was postponed.

With the consent of the House, the following invitation was here read:

## INVITATION FROM REPUBLICAN CENTRAL COMMITTEE.

Honorable A. B. Emery, Speaker of the House of Representatives:

Sir—On behalf the Republican Central Committee, I herewith transmit invitations to the members of the House of Representatives to attend a reception and ball to be held in honor of the offices they hold and in respect for them personally, at the Salt Lake Theatre, on Wednesday, February 21st, 1894, the Eve of Washington's Birthday.

I am, very respectfully,

ARTHUR L. THOMAS,  
Chairman Committee of Invitation.

On motion, the invitation was accepted with thanks.

## SPECIAL ORDER.

H. B. No. 93 by Mr. Varian—A Bill for An Act for the Encouragement of Silk Production and Paying Bounties therefor.

Bill passed—16 to 6.

## ROLL CALL ON PASSAGE OF H. B. NO. 93.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—16.

Noes—Hubbard, Ivins, Monson, Moore, Stoker, Tolton—6.

Absent—Powers, Nebeker—2.

Mr. Johnson was excused for one day.

Mr. Moore was excused for one day.

On motion of Mr. Sears, the House adjourned until 10 o'clock Saturday.

## FORTY-FIRST DAY.

## MORNING SESSION.

House of Representatives,  
Saturday, February 17, 1894.

House called to order at 10 a. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the fortieth day read, corrected and approved.

H. C. No. 57, by Mr. Dougall—Claim of W. D. Huntington, for Witness Fees, \$5.70.

Referred to Committee on Claims.

H. C. No. 58, by Mr. McBride—Claim of Robert Skelton, for Jury Service, 26.00.

Referred to Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## CONTINGENT EXPENSES.

Committee Room,  
February 17, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having duly considered the following bills, found them to be correct, and recommend that they be approved and paid:

Salt Lake News Co.....	\$21 50
The Dispatch, Provo .....	2 00
J. C. Murphy & Co., Salt Lake City .....	7 00
Tribune Co.....	1 50
Deseret News Publishing Co.....	82 50
Total.....	\$114 50

McBRIDE,  
Chairman of Committee.

Received.

## ENROLLMENT.

Committee Room,  
February 17, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 33, An Act to Aid in the Employment of Needy and Deserving Laborers, etc., beg leave to report that the same has been correctly enrolled, signed by the Speaker of House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
February 17, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 11. relating to Allotment of Lands in Severalty to certain Indians, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

## CONSIDERATION OF REPORTS OF COMMITTEES.

On motion, the report of the Committee on Contingent Expenses, appropriating \$114 50, was adopted.

## UNFINISHED BUSINESS.

H. B. No. 115, by Committee on Irrigation (Substitute for H. B. No. 17)—Regulating the Use of Artesian Wells.

The motion of Mr. Tolton to strike out the enacting clause was carried.

## READING OF BILLS.

The following bills were read the first and second times by title, under suspension of the rules:

H. B. No. 125, by Mr. Nebeker—To Prevent the Exposure for Sale of Unwholesome or Disease Meats, etc.

Referred to Committee on Public Health.

H. B. No. 126, by Mr. Allen—An Act Amending Sections 3414, 3417, Compiled Laws, relating to Liens of Judgments.

Referred to Committee on Judiciary.

H. B. No. 127, by Mr. Allen (by request)—Relating to Telegraph and Telephone Companies.

Referred to Committee on Private Corporations.

H. J. R. No. 8, by Mr. Hatch—A Resolution Abandoning the Capitol Grounds in Salt Lake City:

*Whereas*, The Territory of Utah is not the owner of the grounds on "Arsenal Hill," but the title is so conditioned that in case of any future removal of the seat of government, the grounds, with all buildings erected thereon, will revert to Salt Lake City, and any and all moneys expended in improvements will be a total loss to the people of the Territory; and

*Whereas*, Said grounds are located three-quarters of a mile up an alley, over and beyond a hill, and on the side of a mountain that slopes in such a direction and at such an angle that said grounds are not visible to any inhabitant of the Territory, unless, perhaps, to a chance hunter shooting ducks on Warm Springs Lake; and

*Whereas*, Said grounds are practically inaccessible, owing to the extreme elevation of the same above Salt Lake City and the surrounding valley; and

*Whereas*, On account of the excessive altitude, and the irregular conformation and perpendicularity of the said grounds, the cost of construction of any buildings will be from twenty-five to fifty per cent. greater than on any suitable site; and

*Whereas*, Owing to the natural obstacles of the location the Board of Commissioners on Capitol Grounds, using the



utmost wisdom and economy, have been unable to make any improvements commensurate with the money appropriated and expended for such purpose; and

*Whereas*, The topography of the immediate vicinity, and the scarcity of water, will prevent the settlement and improvement of the adjoining mountains, thereby leaving the Capitol Building of the Territory remote and isolated from the Territory itself.

*Resolved*, By the Governor and Legislative Assembly of the Territory of Utah:

That the present site for the Capitol Grounds is unsuitable, inadequate and unworthy;

That the further improvement of said grounds will be an extravagant, reckless and dangerous use of public money; and

That said grounds should be, and are hereby abandoned.

Resolution read at length.

On motion of Mr. Stanford, H. J. R. No. 8 was laid on the table—Vote 11 to 10.

#### ROLL CALL TO LAY H. J. R. NO. 8 ON THE TABLE.

Ayes—Allen, Clark, Ivins, Mason, Parsons, Pigman, Sears, Stanford, Stoker, Varian, Mr. Speaker—11.

Noes—Dougall, Hatch, Hubbard, McBride, McKay, Monson, Nebeker, Tolton, Warner, Wines—10.

Absent—Johnson, Moore, Powers—3.

H. B. No. 128, by Mr. Tolton—A Bill for An Act to Prevent Officers of Territorial Institutions from Creating Deficits in Excess of Appropriations.

Read at length first time, second time by title, and referred to Committee on Ways and Means.

H. J. R. No. 9, by Mr. Sears:

*Resolved*, The Council concurring, that the Chairman of the Committee on Claims and Public Accounts of the House and the Chairman on Claims and Public Accounts of the Council, be authorized to engage the services of a competent accountant, to act with one or more of the regular committee clerks, to check up the accounts of all

public institutions of the Territory, and that the compensation be paid out of the contingent fund of the Thirty-first Legislature.

Adopted, and Council notified.

C. J. M. No. 5, by Mr. Eldredge—To Amend certain Laws known as Poland Bill and Tucker Act, etc.

Read first and second times by title, under suspension of the rules, and referred to Committee on Judiciary.

C. B. No. 69, by Mr. Breeden—A Bill for An Act to Regulate Assignments for the Benefit of Creditors.

Referred to Committee on Judiciary.

Mr. Stanford moved that when the House adjourn it be until 10 o'clock a. m., Monday, February 19th.

Carried.

On motion of Mr. Stanford, H. B. No 118—(Substitute for H. B. No. 74, relating to Revenue, was made the special order for 10:30 o'clock Monday.

#### COMMUNICATIONS FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
February 16, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Amend Section 2383 of the Compiled Laws of Utah, 1888, in relation to Assessments; An Act Giving City Councils Power to Elect One of its Number to Act as Mayor *pro tem.* during the Absence or Disability of the Mayor; An Act Prohibiting Practicing Attorneys at Law from becoming Sureties in certain Actions, Suits or Proceedings; An Act Amending Section 3099 of the Compiled Laws of Utah of 1888; Memorial to Congress, referring to Survey of Coal Land.

I am, sir, very respectfully,

CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
February 17, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Aid in the Employment of Needy and Deserving Laborers, and Appropriating Money therefor; A Memorial to the Congress of the United States, referring to the Allotment of Lands in Severalty to certain Indians.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 16, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council rejected H. B. No. 30, Providing for the Taxation of Debts secured by Mortgages, and Trust Deeds, on report of committee—ayes, 11; noes, 1—and that it is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 16. 1894

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 84, relating to University Lands, as amended by the Council—ayes, 12; also, H. B. No. 34, to Restore Control of Elections, as amended—

ayes, 9; noes, 3; and C. B. No. 85, (substitute)—ayes, 11; noes, 1—which are herewith sent for your action.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and bills placed on file to be considered in regular order.

Council Chamber,

February 16, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 13, to Provide for the Investment of the Permanent Fund of the University of Utah—ayes, 12; noes, 0—and it is herewith forwarded for your consideration.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and C. B. No. 13 placed on file for third reading.

Council Chamber,

February 16, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 63, Providing for Boards of Education in Cities of the First and Second Class—ayes, 12; noes, 0—and that it is herewith transmitted.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and C. B. No. 63 placed on file for first reading.

#### THIRD READING OF BILLS.

H. B. No. 76, by Mr. McBride (by request)—An Act relating to County Boards of Examiners.

Bill lost—19 to 1.

## ROLL CALL ON PASSAGE OF H. B. NO. 76.

Ayes—McBride—1.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, Monson, McKay, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Absent—Johnson, Moore, Powers—3.

H. B. No. 49, by Committee on Education—A Bill for An Act relating to Leasing of School Lands.

On motion, the bill was placed on the calendar, to be considered later in the session.

H. B. No. 119, by Committee on Judiciary—(Substitute for H. B. No. 94,) Amending Laws relating to Fees of Attorneys in foreclosures, etc.

Bill passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. No. 119.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—Johnson, Moore, Powers—3.

H. B. No. 50 was placed on the calendar to be considered later in the session.

C. B. No. 51, by Committee on Private Corporations—(Substitute,) relating to Organizing and Regulating Life and Accident Insurance Companies.

Mr. Sears moved to recommit to the Committee on Judiciary.

Carried.

H. B. No. 121, by Committee on Private Corporations—

A Bill covering H. P. No. 3, requiring Railway Corporations to Post Notices of Number of Stock Killed, etc.

Bill as amended passed, and title approved, 21 to 1.

## ROLL CALL ON PASSAGE OF H. B. NO. 121.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Nebeker, Parsons, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—Pigman—1.

Absent—Johnson, Moore—2.

On motion of Mr. Powers, H. B. No. 101, was made the special order for Monday, February 19th, at 2 p. m.

Mr. Clark gave notice that he would move to reconsider the vote to lay on the table H. J. R. No. 8.

C. J. M. No. 2, by Mr. Hart—Reserving certain Lands in Uintah Reservation for Agricultural and Educational Institutions, etc.

Memorial passed, 20 to 1, and Council notified.

## ROLL CALL ON PASSAGE OF C. J. M. No. 2.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Mason, McBride, McKay, Monson, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Noes—Nebeker—1.

Absent—Hatch, Johnson, Moore—3.

C. B. No. 65, by Mr. H. E. Booth—A Bill for An Act to relieve W. J. Shields from a judgment in favor of Utah Territory.

Bill, as amended passed, and title approved.

## ROLL CALL ON PASSAGE OF C. B. NO. 65.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—Johnson, Moore, Varian—3.

H. B. No. 108, by Mr. Warner (by request)—Relating to Duties of Clerks of District Courts.

On request of Mr. Warner the bill was recommitted.

Messrs. Stanford and Stoker were excused.

H. B. No. 7, by Mr. Tolton—A Bill for An Act for the Payment of Jurors and Witnesses in the Second Judicial District.

Bill passed and title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 7.

Ayes—Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Nebeker, Powers, Tolton, Varian, Warner, Wines, Mr. Speaker—16.

Noes—Allen, Parsons, Pigman, Sears, Stanford, Stoker—6.

Absent—Johnson, Moore—2.

On motion of Mr. Varian, the House adjourned at 1 p. m. until Monday at 10 a. m.

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FORTY-THIRD DAY.

House of Representatives,  
Monday, February 19, 1894.

MORNING SESSION.

House called to order at 10 a. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the forty-first day read, corrected and approved.



## PRESENTATION OF PETITIONS.

H. P. No. 58, by Mr. Tolton—Petition of Citizens of Piute and Garfield Counties, to Annex a part of Garfield to Piute County.

Read at length and referred to the Committee on Counties.

## REPORTS OF STANDING COMMITTEES.

## WAYS AND MEANS.

House of Representatives,  
February 18, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report as follows: Twenty-two counties have reported on school lands, in response to House Resolution No. 15. Box Elder, Utah and Sanpete Counties, only, received moneys from leasing these lands in the year 1892. Ten counties have given the subject more or less attention during the year 1893. Cache, Kane, San Juan and Summit Counties have not yet reported. The returns received are very imperfect as to acreage, class and quality of lands, etc. The following counties have taken no action towards leasing the school lands within their boundaries: Millard, Uintah, Beaver, Morgan, Iron, Garfield and Wasatch. Some of the county courts of these counties have been controlled by the advice of their county attorneys, who have represented that the Territorial Act passed in 1892 was unconstitutional. Your Committee therefore ask that such communications be referred to the Committee on Judiciary, with the request that said committee report, at its earliest convenience, the facts regarding the right of the Territory to lease said school lands. If the Territory has not the right, then the law of 1892 relating to the leasing of school lands should be repealed, and in the opinion of your Committee, the money received from the leasing of said lands the past two years, and which has been paid into the Territorial treasury, should be paid back to the persons from whom it has been collected; but if the law is pronounced to be constitutional, the Legislature should have the law of 1892 so amended as

to make it a misdemeanor for the members of any county court to neglect to enforce its provisions.

STANFORD,  
Chairman of Committee.

Names of Counties and amounts received from leasing school lands:

Box Elder, 1892 and 1893 .....	\$ 664 60
Davis, 1893 .....	765 00
Piute, 1893 .....	38 00
Tooele, 1893 .....	162 00
Utah, 1892 and 1893 .....	1,802 00
Sanpete, 1892, \$1,384.65; 1893, \$1,410.60 .....	2,795 25
Sevier, 1893 .....	405 20
Salt Lake, 1893 .....	366 60
Rich, 1893 .....	138 80
Wayne, 1893 .....	47 75
Weber, 1893 .....	1 20
Emery, 1892, \$246.26; 1893, \$94.17 .....	340 43
Total .....	\$7,526 23

Received.

Committee Room,  
February 18, 1894.

Mr Speaker:

Your Committee on Ways and Means beg leave to report that they recommend that in reference to H. P. No. 21 \$1000 be appropriated to Beaver County as submitted by your Committee in their report on Revenue, February 13th, 1894.

Also that \$500 be appropriated for use upon the county road between Milford and Minersville in said Beaver County; *Provided, however,* That said county appropriates a like amount to be used upon the same road. And ask that Petition No. 21, with this report, be referred to the Committee on Appropriations.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 18, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that \$1000 has been recommended as an appropriation for roads and bridges in Garfield County, instead of \$1500, as requested in H. P. 47, and ask that this petition be referred, with this report, to the Committee on Appropriations.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 18, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that the request made in H. P. No. 17, relating to the Assessing of certain Railroad Lands by County Assessors, etc., has been provided for in the Revenue Bill now under consideration in the House, and ask that this petition lie on the table.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 18, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that H. B. No. 66, An Act Amending An Act entitled An Act Creating a Territorial Board of Equalization for Equalizing Assessments, etc., is covered by the Revenue Bill reported by this committee. Your committee ask, therefore, that this bill lie upon the table.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 18, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to re-

port that in their report on February 13th, they recommended that \$1000 be appropriated for roads and bridges in Wayne County, and now ask that this Petition, No. 45, with the recommendation of your committee, be referred to the Committee on Appropriations.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 18, 1894.

Mr. Speaker:

Your Committee on Ways and Means having duly considered H. P. No. 34, from the County Court of Box Elder County, with reference to an Appropriation for Bridges, beg leave to report that they recommend that \$1000 be appropriated for that purpose to Box Elder County; and ask that this petition, with the recommendation of your committee, be referred to the Committee on Appropriations.

STANFORD,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

Report of Committee on Ways and Means, in reference to Revenue derived from leasing of School Lands was adopted, and the recommendations therein so ordered.

Report of Committee on Ways and Means, appropriating \$1,500 for Beaver County, as per request of H. P. No. 21, and report and petition referred to Committee on Appropriations.

Reports of Committee on Ways and Means, appropriating \$1,000 for bridges for Garfield County, covering H. P. No. 47

\$1000 for roads and bridges in Wayne County, covering H. P. No. 45.

\$1,000 for bridges, etc., in Box Elder County, covering H. P. No. 34, were referred, with petitions named, to Committee on Appropriations.

H. B. No. 66—Relating to Creating a Territorial Board of Equalization, was laid on the table, as recommended by the Committee on Ways and Means.

H. P. No. 17—Relating to Assessing of Certain Railroad Lands by County Assessors, etc., was laid on the table, as recommended by the Committee on Ways and Means.

#### UNFINISHED BUSINESS.

H. B. No. 34, by Mr. Allen—To Restore Control of Elections, etc.

The House concurred in the Council amendments, the Council was notified, and H. B. No. 34, as amended, was sent to the Enrollment Committee.

H. B. No. 84, by Mr. Clark—To amend the Compiled Laws relating to University Lands.

Council amendment concurred in, Council notified, and bill, as amended, sent to the Committee on Enrollment.

#### SPECIAL ORDER.

10:30 a. m.

H. B. No. 118, by Committee on Ways and Means (Substitute for H. B. No. 74, by Mr. Warner)—Providing for Levying, Assessing, Collecting and Disbursing of Public Revenue.

While under consideration, at 12:15 p. m., on motion of Mr. Sears, the House took a recess until 2 p. m.

#### AFTERNOON SESSION.

House reconvened at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

#### SPECIAL ORDER.

H. B. No. 101, by Committee on Municipal Corporations (Substitute for H. B. No. 89)—Relating to Board of Police and Fire Commissioners.

On motion of Mr. Allen, H. B. No. 101 was laid over until 3. p. m., and H. B. 110, the special order for that hour was taken up and considered.

H. B. No. 110, by Committee on Militia (substitute for H. B. No. 39, by Mr. Allen, by request)—Relating to Utah National Guard.

On motion of Mr. Varian, the bill was laid on the table.

#### READING OF BILLS.

The following bills were read the first and second times by title, under suspension of the rules:

H. B. No. 129, by Mr. Stanford (by request)—A bill for An Act to regulate the Practice of Medicine.

Referred to Committee on Public Health.

H. B. No. 130, by Mr. Varian—A Bill for An Act to provide for the Payment of Jurors and Witnesses and making Appropriations therefor.

Referred to Committee on Ways and Means.

H. B. No. 131, by Mr. Stanford (by request)—A Bill for An Act amending Compiled Laws relating to Sections 16 and 36, relating to Settlements with View to Pre-emptions.

Referred to Committee on Judiciary.

H. B. No. 132, by Mr. Pigman (by request)—A Bill for An Act making Appropriations for the Improvement of Roads, etc.

Referred to Committee on Appropriations.

C. B. No. 13, by Mr. Williams—To provide for a Permanent Fund of the University of Utah.

Referred to Committee on Education.

C. B. No. 63, by Mr. John E. Booth—A Bill for An Act Providing for Boards of Education in certain Cities Assessing School Taxes.

Referred to the Committee on Education.

C. B. No. 85, by the Committee on Counties (Substitute)—A Bill for An Act Providing for Location of County Seats and Election of County Officers in New Counties.

Referred to the Committee on Counties.

Mr. Clark moved to reconsider the vote to lay on the table H. J. R. No. 8.

Carried.

Mr. Varian moved to take from the table H. J. R. No. 4, and refer to Committee on Judiciary.

Carried.

Mr. Hatch moved to refer H. J. R. No. 8 to Committee on Capitol Grounds.

Carried.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 17, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed, with the amendments attached thereto, H. B. No. 64, relating to the Practice of Attorneys, etc., and that it is, with the amendments, herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 19, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council, by a unanimous vote, respectfully requests the return of H. B. No. 64, relating to the Practice of Attorneys, etc., as it wishes to reconsider its vote thereon.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion of Mr. Warner the Council request was granted, and H. B. No. 64 was returned with a request that Council amendments in future be made in red ink, in conformity with H. C. R. No. 2.



Council Chamber,  
February 17, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. J. M. No. 14, concerning the Proposed Removal of the Colorado Indians to Utah, has passed the Council—ayes, 10; noes, 0; absent, 2—and is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. J. M. No. 14 was sent to the Committee on Enrollment.

Council Chamber,  
February 17, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has approved the contract signed by Councilor Taylor on behalf of the Legislative Assembly, as authorized by C. C. R. No. 10, and also the bond of the Salt Lake Lithographing Company in the matter of the Territorial Printing—both of which are herewith presented for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion of Mr. Parsons, the House concurred in Council approval of contract and bond of Salt Lake Lithographing Company, and Council notified.

Council Chamber,  
February 17, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 46, To provide for the Education of Blind Children, has passed the Council—ayes, 11; noes, 0; absent, 1—and that it is herewith forwarded for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 46, placed on file for first reading.

Council Chamber,  
February 19, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has concurred in the House amendments to C. J. M. No. 2 and C. B. No. 65.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

### THIRD READING OF BILLS.

H. B. No. 49, by Mr. Johnson—Providing for Leasing of School Lands.

On motion of Mr. Allen, H. B. No. 49 was laid on the table.

H. B. No. 50, by Mr. Powers—To Provide for Payment of Employees of Corporations.

Bill lost—21 to 2.

### ROLL CALL ON PASSAGE OF H. B. No. 50.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Varian Warner, Wines, Mr. Speaker—21.

Ayes—Powers, Tolton—2.

Absent—Stoker—1.

H. B. No. 92, by Committee on Live Stock, Substitute for H. B. No. 58, by Mr. Tolton—Relating to Herding and Branding of Cattle, etc.

Mr. Tolton moved to lay on the table.

Motion lost.

Mr. Parsons moved to strike out the enacting clause.

Motion lost.

## SPECIAL ORDER.

Three o'clock having arrived, Mr. Varian moved to postpone the consideration of H. B. No. 101 for twenty minutes.

Carried, and the House proceeded with the consideration of H. B. No. 92.

Mr. Stanford moved to make special order for March 10 at 3 p. m.

Motion lost.

At 3:20 o'clock, a further postponement of the special order, of twenty minutes, was taken, on motion of Mr. Varian.

While considering H. B. No. 92, 3:40 o'clock having arrived, the House proceeded with the special order.

H. B. No. 101, by the Committee on Municipal Corporations (Substitute for H. B. No. 89, by Mr. Powers)—Relating to the Board of Police and Fire Commissioners.

Bill as amended passed, 24 to 0, and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 101.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

Mr. Varian moved that when the House adjourn it be until 2 p. m., Tuesday, February 20.

Carried.

On motion of Mr. Allen, H. B. No. 110 was taken from the table for consideration.

H. B. No. 110, by Committee on Militia—Creating the Utah National Guard.

Bill read at length by sections and amended, after which Mr. Tolton moved to adjourn.

Motion lost.

Mr. Nebeker moved to lay the bill on the table.

Motion carried.

On motion of Mr. Allen, the House proceeded with the consideration of H. B. No. 92, by the Live Stock Committee—Providing for Herding and Branding of Cattle.

While under discussion, Speaker Emery was excused for the day, and Mr. Allen, upon invitation, assumed the Chair.

H. B. No. 92, lost—13 to 9.

#### ROLL CALL ON PASSAGE OF H. B. NO. 92.

Ayes—Clark, Dougall, Hatch, Hubbard, Johnson, McKay, Monson, Moore, Wines—9.

Noes—Ivins, Mason, McBride, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner—13.

Absent—Mr. Speaker—1.

On motion of Mr. Warner, H. B. No. 118 was made special order for Tuesday, at 2:30 p. m.

On motion of Mr. Sears, the House adjourned at 6:10 p. m.

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### FORTY-FOURTH DAY.

House of Representatives,  
Tuesday, February 20, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the forty-third day read, corrected and approved.

#### PRESENTATION OF PETITIONS.

H. P. No. 59, by Mr. Ivins—Petition of Citizens of Garfield, Protesting Against Changes of Boundary Lines, etc.

Read at length and referred to the Committee on Counties.

H. P. No. 60, by Mr. Wines—Petition of Citizens of Lehi, asking the Passage of H. B. No. 99.

Placed on file, to be considered with H. B. No. 99.

H. P. No. 61, by Mr. Ivins—Petition of Citizens of Garfield, asking Change of Boundary Lines, etc.

Read at length and referred to the Committee on Counties.

H. P. No. 62, by Mr. Monson—Petition of Court of Cache County, asking for an Appropriation of \$2,000 to Repair Bridges and Roads, etc.

Referred to Committee on Ways and Means.

H. C. No. 59, by Mr. Ivins—Claim of Kane County for Criminal Prosecution, for \$1,068.38.

Referred to the Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

##### FISH AND GAME.

Committee Room,  
February 20, 1894. .

Mr. Speaker:

Your Committee on Fish and Game, having duly considered H. B. No. 20, and H. B. No. 80, beg leave to report as follows:

We recommend the accompanying H. B. as a Substitute therefor, and ask that the same be printed.

McKAY,  
Chairman of Committee.

Received.

##### ENROLLMENT.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 14—Relating to Southern Ute Indians, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of

the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 34—An Act relating to the Control of Elections; also H. B. No. 84—An Act relating to University Lands, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

#### PRIVATE CORPORATIONS.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Private Corporations, to whom was referred H. B. No. 127—A Bill for An Act relating to Telegraph and Telephone Companies, respectfully report that we have considered the same and recommend that the bill do pass.

C. P. MASON,  
Chairman of Committee.

Received.

#### JUDICIARY.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 18—An Act allowing Stockholders of Corporations to redeem their Stock when sold for non-payment of

Assessments, beg leave to report as follows: That they recommend that it do not pass.

They also recommend that H. B. No. 111—An Act providing for a new Section of the Code of Civil Procedure, etc., do not pass.

They recommend that H. B. No. 114—An Act to amend Part I, Chapter V, Section 44, of the Code of Civil Procedure, relating to Courts, do pass.

They recommend that the Substitute for H. J. R. No. 4 do not pass, but that H. J. R. No. 4, do pass.

They recommend that H. B. No. 87—An Act to repeal Sections 30 to 40, both inclusive, of Chapter III, Part Second, Volume 1, Compiled Laws of 1888, relating to Sealer of Weights and Measures, do not pass.

They recommend that H. C. R. No. 3, relative to Compiled Laws stored away without care, etc., do pass.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 117—An Act providing for the payment of Jurors, Witnesses and Phonographic Reporters, and Creating and Defining the Duties of Court Commissioners, beg leave to report the following amendments: Strike out "six dollars (\$6)" in line 2, section 9, and insert "eight dollars (\$8)" in lieu thereof; strike out in lines 4, 5 and 6, of section 11, the names Charles N. Redfield, W. H. Bakes and Launcelot M. Earl, and they recommend that it do pass as amended.

VARIAN,  
Chairman of Committee.

Received.



## MINES AND MINING.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Mines and Mining, having duly considered H. Bills Nos. 52 and 65, relating to the Recording of Mining Claims, etc., beg leave to report that they recommend the enclosed substitute for said bills, and that it be printed and placed upon its passage. They also recommend that H. Bills Nos. 52 and 65, and H. Petitions Nos. 52 and 53 lie upon the table.

C. P. MASON,  
Chairman of Committee.

Received.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, acting jointly with the Committee on Claims and Public Accounts of the Council, to whom was referred House Claim No. 24, of Garfield County, of \$1,571.19; H. C. No. 6, of H. W. Hawley, of \$377.50; H. C. No. 51, of Grand County, of \$1,011.36; H. C. No. 47, of Sanpete County, \$12,262.70; H. C. No. 34, of Sevier County, of \$2,536.75; H. C. No. 32, of Millard County, for \$538.85; H. C. No. 8, of B. B. Quinn, of \$402.85; H. C. No. 36, of J. H. Tipton, for \$190.65, respectfully submit the following: Said committees, acting jointly as aforesaid, and after spending considerable time in the consideration of the respective claims, adopted the following resolution:

*Resolved*, That no claim incurred by the respective counties or by any county officer for criminal expenses in justice's courts, including the fees of witnesses, jurors, stenographers, constables, sheriffs, justices and commissioners, be allowed, but that the same be rejected; and,

*Whereas*, The above mentioned claims come within the said resolution we recommend that said claims be rejected.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 27, of D. N. Murdock et al., for \$220.00, beg leave to report that they have had the same under consideration and recommend that said claim be not allowed.

SEARS,  
Chairman of Committee.

Received.

SPECIAL ORDER.

2:30 p. m.

H. B. No. 118, by Committee on Ways and Means—(Substitute for H. B. No. 74, by Mr. Warner) Providing for Levying, Assessing, Collecting, and Disbursing of Public Revenue, etc.

Mr. Allen moved to make Special Order, for Monday, February 26th, at 2:30 p. m.

Motion lost.

Mr. Hatch moved to strike out the enacting clause.

Motion lost.

Mr. Varian moved to postpone the consideration of the bill until 2:30 p. m. Wednesday.

Carried.

REPORTS OF STANDING COMMITTEES.—(Continued.)

CLAIMS AND PUBLIC ACCOUNTS

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, acting jointly with the Committee on Claims and Public Accounts of the Council, to whom was referred H. P. No. 6, of Horner Fraughton, et al., for \$300, for services in certain criminal cases, beg leave to report that they have had

the same under consideration and recommend that said claim and petition be not allowed or paid by the Territory, but that the same be allowed and paid by Emery County, believing, as we do, that it is a proper charge against said county.

SEARS,  
Chairman of Committee.

Received.

PUBLIC HEALTH.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Public Health, to whom was referred H. B. No. 72 respectfully report that we have considered the same and recommend that the bill do not pass.

WINES,  
Chairman.

Committee Room,  
February 20, 1894.

Mr Speaker:

Your Committee on Public Health, to whom was referred H. B. No. 31, respectfully report that we have considered the same and recommend that the bill do not pass.

WINES,  
Chairman of Committee.

Received.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Public Health, to whom was referred H. B. No. 88, respectfully report that we have considered the same, and recommend that the bill do not pass.

WINES,  
Chairman of Committee.

Received.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Public Health, to whom was referred H. B. No. 82, respectfully report that we have considered the same, and recommend that the bill do not pass.

WINES,  
Chairman of Committee.

Received.

PRIVATE CORPORATIONS.

Committee Room,  
February 20, 1894.

Mr. Speaker:

Your Committee on Private Corporations, to whom was referred H. B. No. 71, A Bill relating to Private Corporations, respectfully report that we have considered the same and recommend that the bill be referred to the Committee on Judiciary, as, in the opinion of your committee, there are several legal questions involved.

C. P. MASON,  
Chairman.

Received.

CONSIDERATION OF REPORTS OF COMMITTEES.

H. Bills Nos 20 and 80 were laid on the table; and H. B. No. 133, by the Committee on Fish and Game (Substitute for H. Bills Nos. 20 and 80)—ordered printed and placed on file for first reading.

H. B. No. 127 was placed on file for third reading.

H. B. No. 18 was laid on the table.

On motion of Mr. Varian, the amendments to H. B. No. 117 were adopted and the bill filed for third reading.

H. Bills Nos. 52 and 65 were laid on the table.

H. Petitions Nos. 52 and 53 were laid on the table.

H. Bills Nos. 111, 114 and 87, H. J. R. No. 4, and Substitute therefor, and H. C. R. No. 3 were filed for third reading.

Report of the Committee on Claims, with recommendations covering H. Claims Nos. 6, 8, 24, 32, 34, 36, 47 and 51, was adopted.

Report of Committee on Claims, relating to H. C. No. 27, was adopted.

Report of Committee on Claims, relating to H. P. No. 6, was adopted.

H. Bills Nos. 72, 31, 88 and 82, placed on filed for third reading.

H. B. No. 71 was referred to the Committee on Judiciary

#### READING OF BILLS.

The following bills were read first and second times by title, under suspension of the rules:

C. B. No. 46, by Councilor John E. Booth—A Bill for An Act to Provide for the Education of Blind Children.

Referred to the Committee on Education.

H. B. No. 133, by Committee on Fish and Game (Substitute for H. Bills Nos. 20 and 80)—To Provide for Protection of Fish and Game and for Appointment of Commissioner.

Ordered printed and placed on file for third reading.

H. B. No. 134, by Committee on Mines and Mining (Substitute for H. Bills Nos. 52 and 65)—An Act Regulating the Location and Recording of Mining Claims.

Ordered printed and filed for third reading.

H. B. No. 135, by Mr. Allen—A Bill for An Act Permitting School Boards to Establish Kindergartens.

Referred to the Committee on Education.

H. B. No. 136, by Mr. Stanford (by request)—An Act Relative to Corporate Suretyship.

Referred to Committee on Judiciary.

H. B. No. 137, by Mr. Warner (by request)—A Bill for An Act Amending Code of Civil Procedure, relating to the Appointment of Receiver.

Referred to Committee on Judiciary.

H. B. No. 138, by Mr. Sears—An Act Empowering the Mayor and Council to Execute the Conveyance of certain Real Estate in the Territory of Utah.

The bill was read at length the first time, second time by title, and referred to the Committee on Capitol Grounds.

#### MOTIONS AND RESOLUTIONS.

On motion of Mr. Varian, H. C. R. No. 3, by Mr. Tolton—Relating to the Disposition of copies of the Compiled Laws, was adopted, and the Council notified.

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 19, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has rejected H. B. No. 96 (Substitute for H. B. No. 79)—Relating to Landlords and Tenants, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 19, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 75—Relating to County and Precinct Officers—ayes, 8; noes, 2; absent, 2; and that it is herewith forwarded.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 75 placed on file for first reading.

Council Chamber,  
February 20, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council acknowledges the receipt of H. B. No. 64, returned at its request; also, a copy of H. J. R. No. 9, concerning the Employment by the Committee on Claims, of a competent Accountant to Check up the Accounts of all Public Institutions of the Territory, and that it has amended the latter (in red ink) by inserting in the copy, after the word "Territory" the words "and the accounts of all Territorial officers."

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, amendment to H. J. R. No. 9 concurred in and Council notified.

#### THIRD READING OF BILLS.

H. B. No. 95, by Mr. Moore—Providing for Disposal of Estrays and Animals for Trespass and Damage.

Bill passed and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 95.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Noes—Parsons—1.

Excused from voting—Mason—1.

H. B. No. 114, by Mr. Allen—A Bill for An Act to amend Part I, Chapter V, Section 44, Code of Civil Procedure, relating to Courts.

Bill passed 24 to 0, and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 114.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebe-



ker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

H. B. No. 111, on motion of Mr. Powers, was made the special order for Friday, February 23, at 2:30 p. m.

H. B. No. 87, by Mr. Hatch—A Bill for An Act repealing the Compiled Laws relating to Sealer of Weights and Measures.

Bill lost—18 to 6.

#### ROLL CALL ON PASSAGE OF H. B. No. 87.

Ayes—Hatch, Nebeker, Sears, Tolton, Wines, Mr. Speaker—6.

Noes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Pigman, Powers, Stanford, Stoker, Varian, Warner—18.

H. B. No. 127, by Mr. Allen (by request)—A Bill for An Act relating to Telegraph and Telephone Companies.

Bill as amended passed, vote 16 to 8, and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 127

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Varian, Wines, Mr. Speaker—16.

Noes—Clark, Hatch, Powers, Sears, Stanford, Stoker, Tolton, Warner—8.

On motion of Mr. Sears, the House adjourned at 5:20 p. m.

#### ROLL CALL ON ADJOURNMENT.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Moore, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—17.

Noes—Hubbard, Ivins, Monson, Nebeker, Powers, Stoker, Tolton—7.

## FORTY-FIFTH DAY.

House of Representatives,  
Wednesday, February 21, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain

Minutes of the forty-fourth day read and approved.

## PRESENTATION OF PETITIONS.

H. P. No. 63, by Mr. Varian—Petition of Bar Association of Utah, asking the passage of an Attorneys' Lien Law.

Read at length and referred to the Committee on Judiciary.

H. P. No. 64, by Mr. Ivins—Petition from Citizens of Kane County, protesting against Medical Legislation.

Referred to Committee on Public Health.

H. P. No. 65, by Mr. Stoker (embracing numerous petitions)—protesting against repeal of the Medical Laws.

Referred to Committee on Public Health.

H. P. No. 66, by Mr. Ivins—Petition of Tax Collector of Garfield County, asking Relief from Uncollectible Taxes of 1892, amounting to \$166.85.

Referred to Committee on Claims.

H. P. No. 67, by Mr. Ivins—Petition of Collector of Kane County, for Relief from Uncollectible Taxes, in years 1890, '91 and '92, amounting to \$34.18

Referred to Committee on Claims.

H. C. No. 60, by Mr. Sears—Claim of Eugene Young for use of Typewriter, \$10.50.

Referred to Committee on Claims.

H. C. No. 61, by Mr. Mason—Claim of Territorial Library for Sundry Supplies, \$167.60.

Referred to Committee on Claims.

H. Report No. 5, by Mr. Tolton—Report of Court Commissioner of the Second Judicial District.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

JUDICIARY.

Committee Room,  
February 21, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 126—An Act to Amend Sections 3414 and 3417 of the Compiled Laws of Utah, of 1888, relating to Liens of Judgments, beg leave to report that they recommend that it do not pass.

VARIAN,  
Chairman of Committee.

Received.

COUNTIES.

Committee Room,  
February 21, 1894.

Mr. Speaker:

Your Committee on Counties, to whom was referred C. B. No. 85 (a Substitute for C. B. No. 68)—A Bill for An Act Providing for the Location of County Seats and Election of Officers in New Counties, beg leave to report that they have duly considered the same and recommend that the bill be put upon its passage.

McKAY,  
Chairman.

Received.

AGRICULTURE AND IRRIGATION.

Committee Room,  
February 21, 1894.

Mr. Speaker:

Your Committee on Agriculture having duly considered H. B. No. 83—An Act to Encourage the Building

of Reservoirs and Reclamation of Deseret Lands, beg leave to report the following amendments:

Insert in line 2, section 1, the following: "hereafter constructed" after the word "reservoirs."

Second—In line 1, section 2, strike out "any quantity of" and insert in lieu thereof "all," and strike out "of not exceeding 100 acres to the single owner," in lines 1 and 2, section 2, and insert in lieu thereof "by irrigation from reservoirs hereafter constructed."

Third—Strike out all of section 3.

Fourth—Insert after the word "reservoirs" the words "hereafter constructed shall," and after the word "exempt" insert "from taxation," in line 1, section 4.

Fifth—Strike out "affidavit of claimant," and insert in lieu thereof "the affidavits of claimant and some other disinterested person," in line 1, section 5

Strike out all of line 2, section 5, and insert in lieu thereof "at the time of making the assessment for taxes."

And they recommend that it do pass as amended.

WM. H. CLARK,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

H. B. No. 126 was placed on file for third reading.

C. B. No. 85, (Substitute for C. B. No. 68, was placed on file for first reading.

The amendments proposed to H. B. No. 83, by the Committee on Agriculture and Irrigation, were adopted and bill as amended placed on file for third reading.

#### SPECIAL ORDER.

2:30 p. m.

H. B. No. 118, by Committee on Ways and Means, (Substitute for H. B. No. 74, by Mr. Warner)—Relating to Revenue.

Mr. Allen moved that when the House adjourns it be until Friday, February 23d, at 10 a. m.

Carried.

After discussion and the adoption of several amendments, on motion of Mr. Varian, the further consideration of H. B. No. 118 was postponed until Friday, at 2 p. m.

Mr. McKay excused Friday and Saturday.

On motion of Mr. Stanford, the House adjourned at 3 p. m.

## FORTY-SEVENTH DAY.

### MORNING SESSION.

House of Representatives,  
Friday, February 23, 1894.

House called to order at 10 a. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the forty-fifth day read, corrected and approved.

### PRESENTATION OF PETITIONS.

H. P. No. 68, by Mr. Powers—Petition of Rescue Home for Women, asking appropriation of \$2,000.

Read at length and referred to Committee on Ways and Means.

H. P. No. 69, by Mr. Powers—Petition of Citizens of Salt Lake for Repeal of Medical Laws.

Referred to the Committee on Public Health.

H. P. No. 70, by Mr. Hubbard—Petition of Citizens of Box Elder County to Amend the Act Providing for the Destruction of certain Wild Animals.

Referred to Committee on Fish and Game.

H. P. No. 71, by Mr. Johnson—Petition of citizens of Sanpete County, asking repeal of Medical Laws.

Referred to Committee on Public Health.

H. P. No. 72, by Mr. Wines—Petition of J. B. Hoshaw, relating to the Practice of Medicine.

Read at length and referred to the Committee on Public Health.

H. C. No. 62, by Mr. Powers—Claim of Star Printing Company, \$47.20.

Referred to the Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

#### WAYS AND MEANS.

Committee Room,  
February 22, 1894.

Mr. Speaker:

Your Committee on Ways and Means beg leave to report that they recommend that H. B. No. 128—An Act to Prevent Officers of Territorial Institutions from Creating Deficits in Excess of Appropriations, do not pass.

Mr. Tolton dissenting.

STANFORD,  
Chairman.

Received.

#### CAPITOL GROUNDS.

Committee Room,  
February 23, 1894.

Mr. Speaker:

Your Committee on Capitol Grounds having duly examined H. B. No. 138, respectfully recommend that a new section to said bill be made as follows:

"Section 3. This Act shall take effect on and after its approval."

On the adoption of this amendment by the House we recommend that said bill do pass.

STANFORD,  
Chairman of Committee.

Received.

## WAYS AND MEANS.

House of Representatives,  
February 22, 1894.

Mr. Speaker:

Your Committee on Ways and Means, having duly considered H. P. No. 57, from the Citizens of Utah and Salt Lake Counties; also H. P. No. 62, from the People of Cache County, asking for Appropriations for Roads and Bridges, beg leave to report that the revenue of the Territory will not admit of making the appropriations asked for and recommend that said petitions be laid upon the table.

STANFORD,  
Chairman of Committee.

Received.

## APPROPRIATIONS.

Committee Room,  
February 23, 1894.

Mr. Speaker:

Your Committee on Appropriations, having duly considered H. B. No. 132, beg leave to report a Substitute in lieu of said bill, and recommend that H. B. No. 132 be laid upon the table, and that the Substitute herewith presented, do pass.

PARSONS,  
Chairman of Committee.

Received

## CONSIDERATION OF REPORTS OF COMMITTEES.

H. B. No. 128 was placed on file for third reading.

H. B. No. 138, with amendment by the Committee on Capitol Grounds, was placed on file for third reading.

H. Petitions Nos. 57 and 62 were laid on the table, as recommended by the Committee on Ways and Means.

H. B. No. 132 was laid on the table, and H. B. No. 139, Substitute therefor, filed for first reading.



## READING OF BILLS.

The following bills were read first and second times by title, under suspension of the rules:

H. B. No. 139, by the Committee on Appropriations (Substitute for H. B. No. 132)—A Bill for An Act to Provide Labor for the Destitute Poor of Utah Territory.

Bill read at length first time, second time by title, ordered printed and referred to the Committee on Ways and Means.

H. B. No. 140, by Mr. Stanford—A Bill for An Act to Regulate the Sale and Inspection of Oils for Illuminating Purposes.

Referred to Committee on Judiciary.

H. B. No. 141, by Mr. Warner, (by request)—A Bill for An Act Amending the Compiled Laws, relating to Post-Mortem Examinations.

Referred to Committee on Judiciary.

H. B. No. 142, by Mr. McBride—A Bill for An Act Establishing and Locating the Boundary Line between Juab and Tooele Counties.

Referred to the Committee on Counties.

H. R. No. 24, by Mr. Sears.

## RESOLUTION.

*Resolved*, That the Ways and Means Committee is hereby authorized to summon and administer oaths to witnesses in matters of public interest pending before said committee; and the Sergeant-at-Arms is hereby directed to serve Subpœnas, signed by the Speaker, upon request of the said committee.

Adopted.

C. B. No. 75, by Mr. Hague—A Bill for An Act Amending Compiled Laws, relating to County and Precinct Officers.

Referred to the Committee on Judiciary.

## MOTIONS AND RESOLUTIONS.

Mr. Hatch moved to refer back to the Committee on Ways and Means, H. B. No. 128.

Carried.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 20, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the following communication has been received by the Council, from the Governor of the Territory:

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
February 20, 1894.

Hon. M. A. Breeden, President of the Legislative Council,  
Salt Lake City:

I have this day approved and filed in the office of the Secretary of the Territory, An Act constituting Eight Hours a Day's Labor, etc.; An Act to amend Chapter LXXX of the Session Laws of 1892, entitled An Act to Provide for a Uniform System of Free Schools throughout Utah Territory, and to Validate and Confirm Bonds Issued Thereunder; An Act to Authorize the Auditor of Public Accounts to Procure Records and Other Supplies for the use of the Clerks the of District Courts, and An Act for the Relief of Volunteer Firemen.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 20, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council, having amended H. B. No. 37—Creating the County of Carbon, passed it as amended—ayes, 8; noes, 4. The amendments, in the prescribed color, are by interlineation on the original and by separate sheet attached thereto, and returned herewith for your further consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 37 was referred, as amended by the Council, to the Committee on Counties.

#### THIRD READING OF BILLS.

On motion of Mr. Varian, H. B. No. 117, by Mr. Allen—Relating to payment of Witnesses, Jurors, etc., and Defining the Duties of Court Commissioners, was taken from the table for third reading.

Bill, as amended, passed, 21 to 0, and title approved.

#### ROLL CALL ON OF PASSAGE H. B. NO. 117.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—McKay, Parsons, Stoker—3.

On motion of Mr. Varian, H. B. No. 99, by the Committee on Manufactures and Commerce (Substitute for H. B. No. 47, by Mr. Varian)—relating to payment of Bounty to Raisers of Sugar Beets, was taken from the table for third reading.

At 12 m., after discussion, the House, on motion of Mr. Varian, took a recess until 2 p. m.

## AFTERNOON SESSION.

House reconvened at 2 p. m., Speaker Emery in the Chair.

Quorum present.

On motion of Mr. Varian, H. B. No. 99, the measure pending when recess was taken, was laid on the table.

Mr. Varian moved that when the House adjourn it be until Saturday, February 24, at 2 p. m.

Mr. Hubbard moved to amend to 10 a. m.

Amendment lost; motion of Mr. Varian carried.

The House consenting, Mr. Allen presented H. B. No. 143—A Bill for An Act to Create and Establish a Territorial Board of Health, etc.

Bill read first and second times by title, under suspension of the rules, ordered printed and referred to the Committee on Public Health.

## SPECIAL ORDER.

H. B. No. 118, by the Committee on Ways and Means—Relating to Revenue.

With the consent of Mr. Powers, the House considered the bill until 3:50 p. m., at which hour H. B. No. 111, by Mr. Powers—Providing for a New Section of the Code of Civil Procedure, Providing for Appeals from Justice's Courts to District Courts—was taken up as the special order of the day.

Mr. Ivins moved to recommit.

Carried.

The House consenting, Mr. Nebeker presented a communication from a resident of Lake Town, relating to certain School Laws, which was referred to the Committee on Education.

The House then resumed the consideration of H. B. No. 118.

Mr. Stanford gave notice that he would move for a reconsideration of the vote on the amendment offered by Mr. Allen, in line 10, section 24, relating to Duplicate

Certificates, changing the amount from twenty-five cents to seventy-five cents.

Mr. Tolton was excused for the day.

At 4:50 p. m., on motion of Mr. Allen, the House adjourned.

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## FORTY-EIGHTH DAY.

House of Representatives,  
Saturday, February 24, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the forty-seventh day read, corrected and approved.

Mr. Hubbard was excused for the day.

Mr. Allen moved to make H. B. No. 118 the special order for 2:30 p. m.

Carried.

### COMMUNICATION FROM THE AUDITOR.

TERRITORY OF UTAH,  
Auditor's Office,  
Salt Lake City,  
February 23, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly, Territory of Utah, Salt Lake City:

Dear Sir—I have the honor to transmit herewith, for the action of the Legislative Assembly, the following Auditor's Warrants, issued prior to March 15, 1890, which have been filed in the office of the Auditor of Public Accounts, in accordance with the provisions of An Act Prohib.

iting the Territorial Treasurer paying, and all Tax Collectors receiving for taxes any Territorial Warrants issued prior to March 15th, 1890, approved March 10th, 1892, viz:

Warrant No. 2420, issued on February 20, 1888, to James McKnight, on account of witness fees, \$3.90.

Warrant No. 3057, issued on May 3, 1888, to D. Alexander, on account of witness fees, \$1.70.

Warrant No. 3513, issued on December 7, 1888, to Ambros Shaw, on account of jury fees, \$20.20.

Warrants Nos. 3057 and 3513 have court certificates attached as evidence of the indebtedness for which they were issued.

Very respectfully,

JOHN T. CAINE,

Auditor of Public Accounts.

The communication with warrants named were referred to the Committee on Claims.

#### INVITATION FROM C. A. WHITING, ESQ.

Salt Lake City, Utah,  
February 23, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives:

Dear Sir—If proper to do so, will you please inform the House that a meeting is to be held Saturday evening, February 24th, at 8 o'clock, in the parlors of the Hotel Templeton, for the purpose of organizing a Forestry Association. An earnest invitation to be present is extended to all members of the Legislature.

Very respectfully,

C. A. WHITING.

Invitation accepted with thanks.

#### REPORT OF TERRITORIAL TREASURER.

Salt Lake, Utah,  
February 23, 1894.

To Charles E. Stanton, Esq., Chief Clerk, House of Representatives:

Dear Sir—In accordance with your instructions, I have

the honor to report that the disbursements for the years 1892 and 1893, on account of rent of Territorial Treasurer's office and Treasurer's Contingent Fund, were as follows:

To B. Roberts, Ex-Territorial Treasurer, for rent of office from January 1st, 1892, to March 15th, 1892.	
Two and a half months at \$25.....	\$ 62 50
To McCornick & Co., Bankers, for rent of office from March 15, 1892, to December 31, 1893.	
Twenty-one and a half months at \$25 .....	537 50
Total rent.....	<u>\$600 00</u>

For purchase of books, stationery, postage stamps, typewriting and clerical services.

Total Contingent Fund .....	\$200 00
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Detailed vouchers for the above disbursements were placed on file with the Territorial Auditor, December 30th, 1893.

Yours respectfully,

J. BARNETT,  
Territorial Treasurer.

Report referred to Committee on Ways and Means.

#### PRESENTATION OF PETITIONS.

H. P. No. 73, by Mr. McBride—Petition of Tooele County, asking Appropriation of \$1,500 for Roads.

Referred to Committee on Ways and Means.

H. P. No. 74, by Mr. Ivins—Petition of Washington County, asking an Appropriation of \$3,600 for Roads.

Referred to Committee on Ways and Means.

H. P. No. 75, by Mr. Sears—Petition of Residents of Sugar House Ward, Protesting Against Medical Legislation.

Referred to Committee on Public Health.

H. C. No. 63, by Mr. Hatch — Claim of Wasatch County, for Maps for Assessor, in years 1892 and 1893, \$65.00.

Referred to the Committee on Claims.



H. C. No. 64, by Mr. Tolton—Claim of Wayne County, for Criminal Prosecutions, \$141.65.

Referred to the Committee on Claims.

REPORTS OF STANDING COMMITTEES.

WAYS AND MEANS.

MAJORITY REPORT.

Committee Room,  
February 24, 1894.

Mr. Speaker:

A majority of Your Committee on Ways and Means, having duly considered House Bill No. 130, entitled An Act to Provide for the Payment of Jurors and Witnesses and making Appropriations Therefor, respectfully report the same favorably, and recommend that it be placed upon its passage.

MCBRIDE,  
MASON,  
TOLTON,  
Members of the Committee.

Received.

MINORITY REPORT.

Committee Room,  
February 24, 1894.

Mr. Speaker:

Your Committee on Ways and Means, having had under consideration, H. B. No. 130, we, the undersigned, beg leave to submit the following report:

That to provide for the payment of these old outstanding certificates of Jurors and Witnesses' Fees, many of which date back as far as the year 1870, and all of them between that date and 1888, and which have been passed upon, and in one instance, at least, repudiated by adverse Territorial Legislation; and, further, to our knowledge and belief, a great portion of these certificates are held by brokers, who have bought them for a mere nominal

amount, we believe it would be unjust to the taxpayers of the Territory to pay the same at the present time, considering the depleted condition of its finances, and the large expenditure of money necessary to be expended for the maintenance of our public institutions, being in excess of our revenues, so that it is probable that taxation will have to be increased.

While we recognize the fact that all just debts should be paid, we are opposed to this appropriation of thirty thousand dollars for the redemption of such certificates at the present time, and under these conditions report adversely to the passage of this bill.

J. STANFORD,  
H. W. DOUGALL.

Received.

Committee Room,  
February 24, 1894.

Mr. Speaker:

Your Committee on Ways and Means, having fully considered H. P. No. 23 and H. P. No. 52—Relating to an Appropriation for the Purpose of Constructing a Wagon Road along the Sevier River from Marysville to Joseph, in Sevier County, beg leave to report that they would like to grant the request of the petitioners, but, under the present condition of the Territorial finances, they consider it would be impracticable.

STANFORD,  
Chairman of Committee

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

The majority and minority reports of Committee on Ways and Means, with H. B. No. 130, were filed for third reading.

H. Petitions Nos. 23 and 52, relating to Appropriating Money for Roads in Sevier County, were laid on the table, as recommended by the Committee on Ways and Means.

## READING OF BILLS.

The following bills were read first and second times by title, under suspension of the rules:

H. B. No. 144, by Mr. Powers—A Bill for An Act Amending the Compiled Laws Relating to Fees of Witnesses, etc.

Bill read at length first time, second time by title, and referred to the Committee on Judiciary.

H. B. No. 145, by Mr. Warner (by request)—An Act to Make Valid and Confirm Certain Acts of Ogden City Council.

Referred to the Committee on Judiciary.

H. B. No. 146, by Mr. Sears—A Bill for An Act Providing Offices and Supplies for Territorial Officers.

Referred to the Committee on Ways and Means.

H. B. No. 147, by Mr. Sears—An Act to Encourage the Establishment of Certain Manufacturing Institutions in Utah.

Referred to the Committee on Manufactures and Commerce.

H. B. No. 148, by Mr. Johnson—An Act to Amend Session Laws, Section 4, Chapter XXIV, Relating to Cities of the Third Class.

Referred to the Committee on Judiciary.

H. B. No. 149, by Mr. Johnson—To Amend Compiled Laws Relating to Befouling of Waters.

Referred to the Committee on Public Health.

H. J. M. No. 15, by Mr. Ivins—Asking that a certain part of Arizona be annexed to Utah.

The Memorial was read at length the first time, second time by title under suspension of the rules, and referred to the Committee on Memorials.

H. C. R. No. 5, by Mr. Parsons:

*Resolved*, By the House, the Council concurring: That a committee of five, three from the House and two from the

Council, be appointed to confer with the City Council of Salt Lake City for the transfer of title of such lot or parcel of land as may be tendered by said city, and which shall be approved by said committee for the site of an Executive Mansion, and the committee shall report to the Assembly.

Adopted, and Council notified.

H. J. R. No. 10, by Mr. Powers:

*Whereas*, There has been organized in this Territory an unincorporated association known and called the Brigham Young Memorial Association; and

*Whereas*, Said association has contracted with C. E. Dallin, a native and resident of Utah, to construct a monument commemorating the life and services of said Brigham Young, costing not less than the sum of \$25,000, upon which contract the sum of \$5,000 has already been paid by said association; and

*Whereas*, It is proposed by the association aforesaid to erect a bronze statue to the memory of the said Brigham Young; and

*Whereas*, Said Brigham Young was a pioneer of Utah and the founder of the State, and created the prosperous cities of this Territory, being therefore, worthy to be remembered by all the people, and his life commemorated as proposed by the association aforesaid; therefore, be it

*Resolved*, By the Governor and Legislative Assembly of the Territory of Utah, that there be, and there is, hereby tendered to the Brigham Young Memorial Association, unincorporated, a site upon the Capitol Grounds, in Salt Lake City, for the erection of said monument, such as may be selected by said association upon which the contemplated monument to Brigham Young may be erected.

Resolution read at length and referred to the Committee on Capitol Grounds.

#### SPECIAL ORDER.

H. B. No. 118, by Committee on Ways and Means (Substitute for H. B. No. 74, by Mr. Warner)—Relating to Public Revenue.

Mr. Nebeker moved that the rules be suspended and

that a person who voted in the negative could move for a reconsideration of the question, which was carried on the following roll-call vote:

ROLL CALL ON SUSPENSION OF RULES.

Ayes—Hatch, Ivins, Mason, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—15.

Noes—Allen, Clark, Dougall, Johnson, McBride, Varian, —6.

Mr. Nebeker moved to suspend all rules interfering with his making the motion for a reconsideration of the vote by which Subsection 13 of Section 2 of H. B. No. 118, was stricken out, which was lost, on the following roll-call vote:

ROLL CALL TO SUSPEND ALL RULES, BY NEBEKER.

Ayes—Dougall, Hatch, Mason, Monson, Moore, Nebeker, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—14.

Noes—Allen, Clark, Ivins, Johnson, McBride, Parsons, Pigman, Varian—8.

Mr. Sears moved to strike out the enacting clause of H. B. No. 118, which was carried on the following roll-call vote.

ROLL CALL TO STRIKE OUT ENACTING CLAUSE OF H. B. NO. 118.

Ayes—Dougall, Hatch, Ivins, Mason, Moore, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Mr. Speaker—14.

Noes—Allen, Clark, Johnson, McBride, Monson, Nebeker, Warner, Wines—8.

Absent—Hubbard, McKay—2.

On motion of Mr. Varian, the communication from the Council relative to C. B. No. 105, was read, as follows:

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
February 24, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 105, amending Subdivision 6, Section 1755 s 1, Compiled Laws, 1888, was introduced this day, and, under suspension of the rules, passed—ayes, 8; absent 4; and is herewith transmitted.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

C. B. No. 105—For An Act Amending Subdivision 6 of Section 1755 of the Compiled Laws of 1888, was read first time in full, and, under suspension of rules, second and third times by title, and placed on its passage.

The bill passed 22 to 0; 2 absent, and title approved.

## ROLL CALL ON PASSAGE OF C. B. NO. 105.

Ayes—Allen, Clark, Dougall, Hatch, Ivins, Johnson, Mason, McBride, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Noes—0.

Absent—Hubbard, McKay—2.

Mr. Parsons gave notice that he would, on Monday, move for a reconsideration of the vote by which the enacting clause of H. B. No. 118 was stricken out.

On motion of Mr. Nebeker, H. B. No. 55 was taken from the table and placed on file for third reading.

On Motion of Mr. Wines, H. B. No. 99 was taken from the table, amended and passed—ayes, 15; noes, 7; absent, 2—and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 99.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—15.

Noes—Ivins, Monson, Moore, Nebeker, Powers, Stoker, Tolton—7.

Absent—Hubbard, McKay—2.

On motion of Mr. Varian, the House adjourned at 5:15 p. m.

## FIFTIETH DAY.

House of Representatives,  
Monday, February 26, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the forty-eighth day read and approved.

## PRESENTATION OF PETITIONS.

H. P. No. 76, by Mr. Allen—Residents of Salt Lake City protesting against Medical Legislation.

Referred to the Committee on Public Health.

H. P. No. 77, by Mr. Powers—Residents of Salt Lake City, protesting against Medical Legislation.

Referred to the Committee on Public Health.

H. C. No. 65, by Mr. Parsons—Claim of J. P. Bache, \$57.20. Services for Supreme Court.

Referred to the Committee on Claims.

H. C. No. 66, by Mr. Parsons—Claim of L. B. Rogers, for Insurance, \$93.34.

Referred to Committee on Claims.



H. C. No. 67, by Mr. Parsons—Claim of Territorial Treasurer, for storage, \$192.

Referred to the Committee on Claims.

H. C. No. 68, by Mr. Parsons—Claim of W. E. Smedley, Insurance, \$360.

Referred to the Committee on Claims.

#### REPORTS OF STANDING COMMITTEES.

##### AGRICULTURE AND IRRIGATION.

##### MAJORITY REPORT.

Committee Room,  
February 21, 1894.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, having duly considered H. B. No. 27, beg leave to report as follows: That we recommend that H. B. No. 27, as amended, do pass.

CLARK,  
Chairman of Committee.

Received.

##### MINORITY REPORT.

House of Representatives,  
February 13, 1894.

Mr. Speaker:

The undersigned, a member of your Committee on Agriculture and Irrigation, begs leave to present this minority report in the matter of H. B. No. 27, entitled A Bill for An Act to Encourage the Production of Canaigre and the Manufacture of Leather in the Territory of Utah.

The majority of said Committee on Agriculture and Irrigation, having presented a report recommending the passage of said H. B. No. 27, I respectfully present the following reasons why I dissent from their views:

First—According to statements made before your Committee by the author (as I understand) of the bill, the Ca-

naigre plant grows wild and in such profusion in the localities where it is possible for it to grow, that it has become a nuisance to the farmer, gardener and horticulturist; that markets are already established where the root can be sold; that enterprising men in Europe have come to New Mexico, and have purchased 2,000 acres in the Pecos Valley and have planted the same with the Canaigre root; that it is said to be a profitable investment. That 6,000 acres of land are to be planted with Canaigre in the State of Texas; that the demand for the Canaigre root, on account of its wonderful tannic acid properties, is steadily increasing and that demand cannot be supplied; that reliable authority shows that the acids contained in the root could be placed in Salt Lake City for about fifty per cent. less than the imported article; that the root commands a price of \$40 per ton in Vienna, delivered there by water transportation.

Second—That in view of the present and prospective depleted condition of the Territorial treasury, as shown by the Territorial Auditor's report, which is before us, regardless of the question of the lawfulness and justness of diverting the public revenues from their proper channels, I submit, Mr. Speaker, that it is, at least, unwise to so appropriate the moneys of the Territory thereby enlarging the deficits and placing the Territory on the verge of bankruptcy.

Third—The Auditor's report, dated December 31, 1893, shows the following alarming deficit at and on March 15, 1890, and their increase since that date:

March 15, 1890, excess of Territorial liabilities over and above all its available resources	\$177,795 61
December 31, 1891, increase of deficit during the biennial term ending this date.....	303,760 34
December 31, 1893, increase of deficit during the biennial term ending this date.....	258,543 69
December 31, 1893, total deficit.....	<u>\$740,099 04</u>

In conclusion, let me say, with all due respect to the majority of your committee, that with the foregoing facts laid before us, when foreigners living at a distance of from 6,000 to 7,000 miles from us, can come here, purchase our land, and grow rich upon that which is a nuisance to our

own people, without governmental aid, it seems to be a very unwise course for us to adopt; that is, to appropriate from the Territorial funds the amount asked for in H. B. No. 27, namely, \$19,000, and I earnestly ask that the majority report of your committee may not be adopted, but that this minority report may be adopted, and that said H. B. No. 27, do not pass.

Respectfully submitted,

JOHN MOORE,

A Member of the Committee  
on Agriculture and Irrigation.

PUBLIC HEALTH.

Committee Room,

February 26, 1894.

Mr Speaker:

Your Committee on Public Health, having duly considered H. B. No. 149, beg leave to report as follows: That we have duly considered said bill and recommend that said bill do pass.

WINES

Chairman of Committee.

Received.

Committee Room,

February 26, 1894.

Mr. Speaker:

Your Committee on Public Health, to whom was referred H. Bills Nos. 61, 81 and 129, beg leave to report that we have duly considered the above bills, offer a Substitute attached hereto, and recommend that the Substitute be printed and put upon its passage. We further recommend that H. Bills Nos. 61, 81 and 129, lie upon the table.

WINES,

Chairman of Committee

Received.

Committee Room,  
February 23, 1894.

Mr. Speaker:

Your Committee on Public Health, having duly considered H. B. No. 143, beg leave to report as follows: The said bill proposes to create a new Territorial Board, requiring an appropriation of three thousand dollars, and, considering the present financial condition of the Territory, recommend the bill do not pass.

WINES,  
Chairman of Committee.

Received.

#### CONTINGENT EXPENSES.

Committee Room,  
February 26, 1894.

Your Committee on Contingent Expenses, having duly examined the following accounts, find them to be correct, and recommend that the same be allowed:

Deseret News .....	\$ 48 00
The Herald Publishing Company.....	54 00
The Tribune Publishing Company . . . . .	52 00
Gotleib Blusch, Salt Lake City .....	1 50
Postoffice, Salt Lake City .....	60 00
Western Hardware Company, Salt Lake City.....	75
Total .....	<hr/> \$216 25

MCBRIDE,  
Chairman of Committee.

Received.

#### WAYS AND MEANS.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Ways and Means respectfully report that they have duly considered H. B. No. 139, and submit the following amendments:

In line 5, Section 1, fill in blank space with the word "eight," in line 6, same section, between the words "shall be" insert the word "not," and in line 1, Section 2, strike out the words "one or" and insert in lieu thereof the word "within."

On the adoption of these amendments your Committee recommend that said bill do pass.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 26. 1894.

Mr. Speaker:

Your Committee on Ways and Means, having duly considered House Petitions numbered 73 and 74, asking for appropriations for Tooele and Washington counties, respectively, respectfully report that the revenue of the Territory will not admit of further appropriations being made for the improvement of roads and bridges, and therefore recommend that said petitions be laid upon the table.

STANFORD.  
Chairman of Committee.

Received.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Ways and Means, having duly considered H. P. No. 68, presented by the officers and members of the "Executive Committee of the Rescue Home for Women," supported by the signatures of a large number of prominent persons resident in Salt Lake City, asking for an annual appropriation of two thousand dollars for further extending the benefits of this home, and to aid in reclaiming an unfortunate class of women, respectfully report that while their private sentiments and sympathies are with the promoters of this kind and benevolent Home, "established by Christian women," your committee do not feel justified in recommending that the prayer of the petitioners be granted, for the reason that the Territory has already under-

taken to support and maintain public institutions, charitable, educational, etc., etc., at a cost largely in excess of the revenue derived from taxes, and in the opinion of your Committee, City Councils and County Courts are the more proper public bodies to extend support to this class of benevolent societies. We therefore recommend that said petition be laid upon the table.

STANFORD,  
Chairman of Committee.

Received.

#### COUNTIES.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Counties, having duly considered H. B. No. 142, beg leave to report as follows: That H. B. No. 142, Relating to the Boundary Lines between Juab and Tooele Counties, do pass.

McKAY,  
Chairman of Committee.

Received.

#### MEMORIALS.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Memorials, having duly considered a Memorial asking Congress to Unite Certain Portions of Arizona to Utah, beg leave to report as follows:

We recommend that the Memorial do pass.

ALLEN,  
Chairman of Committee.

Received.

#### EDUCATION.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Education, having duly considered C. B. No. 46, for An Act to Provide for the Education of

Blind Children, beg leave to report as follows: We recommend that the bill do pass, and that H. B. No. 63, and H. Petitions Nos. 13 and 14, pertaining to the same subject matter, lie on the table.

ALLEN,  
Chairman of Committee

Received.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Education having duly considered C. B. No. 13, to Provide for the Investment of the Permanent fund of the University of Utah, beg leave to report as follows: We recommend that the bill do pass.

ALLEN,  
Chairman of Committee.

Received.

Committee Room,  
February 26, 1894.

Mr Speaker:

Your Committee on Education, herewith report a bill Providing for Certain Amendments to Chapter LXXX of the Session Laws of 1892, relating to District Schools. We recommend that the bill do pass.

The following bill, relating in whole or in part to the provisions of the aforesaid bill, we recommend to lie upon the table: H. B. No 62, to amend Chapter LXXX, of the Session Laws of 1892; H. B. No. 120, to amend Chapter LXXX, of said Session Laws, and also, H. P. No. by Officers of Grand County.

ALLEN,  
Chairman of Committee.

Received.

#### JUDICIARY.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Judiciary, to which was referred the report of the Committee on Ways and Means of Feb-



ruary 18, with accompanying communications relative to the right of the Territory to lease school sections, so called, beg leave to report as follows:

Section 15 of the Organic Act provides that sections numbered sixteen and thirty-six in each township, when the same shall be surveyed preparatory to bringing the same into market "shall be, and the same are hereby reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same."

Section 1946, Revised Statutes of the United States, is to the same effect, being a statement of the provisions of the Organic Acts of Several Territories carried into the Revised Statutes.

There are no words of grant in these acts of Congress. Unless the title to the school sections has vested in the Territory, it would seem clear that the Territory has no right to lease or otherwise control them. The purpose of Congress is manifest and in accord with the rule which it has uniformly maintained relative to school sections in all Territories.

When surveyed, these lands are reserved from sale or other disposition for the purpose of being afterwards granted to the State or Territory. All the enabling acts for Territories have contained specific grants of these lands, expressed by apt words of conveyance, and the act now pending for the admission of Utah is no exception.

We think that the title to these lands is in the United States, and that the Territory has nothing to do with them. In *Ferry vs. Street*, 4 Utah 531, The Supreme Court of the Territory uses language indicating its opinion that the title to these lands when surveyed vests in the Territory. The question was not involved nor necessary to the decision and we do not feel bound by it.

The condition of these lands is, it seems well stated by the Supreme Court of Montana.

"While sections 16 and 36 were reserved for the purpose of aiding the development of the Public School system in the coming State of Montana, and so far as their sale for the purposes of settlement is concerned, were segregated from the public domain, still the title to them and the dominion and control over them, remain in the Government

of the United States; the agents of the public school system have no control over them."—U. S. vs. Bisel, 19 Pac. Rep. 254.

We think, however, that it is very necessary for the Territory to have control of these lands, and recommend that proper application be made to Congress. In 1888, under precisely similar circumstances, Congress passed an act validating a law—and leases thereunder—of the then Territory of Washington—Statutes at Large, Vol. 25, 358.

Therefore, we report herewith, a Joint Memorial, with the recommendation that it do pass.

H. B. No. 131—Entitled "An Act Amending Section 376, p. 224, Vol. 1, of the Compiled Laws of Utah," being a bill to amend an act of Congress, is herewith reported, with the recommendation that it be indefinitely postponed.

In the opinion of the Committee, the provisions of this bill should be incorporated by way of amendment to H. B. No. 44, which has passed the House. It would seem advisable for the present Legislature to enact such a law relative to the leasing of school sections as may be just, in anticipation of the Congress hereafter granting the authority.

VARIAN,

Chairman.

Received.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered C. B. No. 75, beg leave to report a substitute therefor, with the recommendation that the substitute do pass, and that C. B. No. 75 lie upon the table.

VARIAN,

Chairman of Committee.

Received.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred House Bill No. 141, Entitled, An Act Amending Section

4511 of Chapter VI, Compiled Laws 1888, Relating to Post-mortem Examinations, having had the same under consideration respectfully report that they recommend that it do pass.

VARIAN,

Chairman of Committee.

Received.

Committee Room,

February 26, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. B. No. 140, entitled, An Act Relating to the Inspection and Sale of Oils for Illuminating Purposes, beg leave to report the following amendments:

First—Insert after the word “responsible,” in line 17 Section 2, the words, “on his official bond.”

Second—In line 3, Section 3, strike out the words “purchased (or secured),” and insert, “received into his possession.”

Third—Strike out in line 9, Section 4, the words, “forfeit and may,” and insert in lieu thereof, “seized and upon judgment or forfeiture or condemnation in the proper Court shall;” and recommend that the same do pass as amended.

VARIAN,

Chairman of Committee.

Received.

Mr. Allen moved that when the House do adjourn it be until Tuesday, at 10 a. m.

Carried.

#### UNFINISHED BUSINESS.

#### REPORTS OF STANDING COMMITTEES.

(Continued.)

#### JUDICIARY.

Committee Room,

February 24, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. P. No. 63, asking for the passage of an Attorneys' Lien

Law, having duly considered the same, respectfully report that they recommend that the request be not granted.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
February 24, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. B. No 136, entitled, An Act Relating to Corporate Suretyship, having duly considered the same, respectfully recommend that it do not pass.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
February 24, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. B. No. 137, entitled, An Act Amending Section 3330, s 436, of Chapter V, Code of Civil Procedure, Relating to Appointment of Receiver, respectfully recommend that the same do not pass.

VARIAN,  
Chairman of Committee.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

H. B. No. 27, with majority and minority report of Committee on Agriculture and Irrigation, were filed for third reading.

H. B. No. 149 was filed for third reading.

H. Bills 81, 61 and 129 were laid on the table.

H. B. No. 143 was filed for third reading.

Consideration of H. B. No. 131 was, on motion of Mr. Varian, indefinitely postponed, and the H. J. Memorial, relating thereto, was filed for first reading.

H. Petitions Nos. 68, 73 and 74 were laid on the table.

C. B. No. 75, was laid on the table and a H. B. No. 152 substitute therefor, was filed for first reading.

Report of Committee on Contingent Expenses, appropriating \$216. 25, was adopted.

H. B. No. 139, as amended by Committee on Ways and Means, was filed for third reading.

H. B. No. 142 was filed for third reading.

H. J. M. No. 15 was filed for third reading.

C. B. No. 46 was filed for third reading, and H. B. No. 63, H. Petitions Nos. 13 and 14 were laid on the table.

C. B. No. 13 was filed for third reading.

H. Bills Nos. 60 and 120 were laid on the table, and the substitute therefor, H. B. No. 151, by the Committee on Education, was filed for first reading.

H. B. No. 141, was filed for third reading.

The amendments to H. B. No. 140, reported by the Committee on Judiciary, were adopted and the bill, as amended, filed for third reading.

H. P. No. 63, H. Bills Nos. 136 and 137, were laid on the table.

#### READING OF BILLS.

The following bills were read first and second times by title, under suspension of the rules:

H. B. No. 150, by Committee on Public Health, (Substitute for H. Bills Nos. 61, 81 and 129)—To Regulate the Practice of Medicine.

Placed on file for third reading

H. B. No. 151, by Committee on Education (Substitute for H. Bills Nos. 62 and 120, to amend Session Laws relating to District Schools.

Ordered printed and placed on file for third reading.

H. B. No. 152, by Committee on Judiciary (Substitute for C. B. No. 75.

Without printing, placed on file for third reading.

H. B. No. 153, by Mr. Varian—To amend Chapter XLVII, Compiled Laws, relating to Trust Deeds and Mortgages.

Referred to the Committee on Judiciary.

H. B. No. 154, by Mr. Varian—Regulating Salaries of County Officers.

Referred to the Committee on Ways and Means.

H. B. No. 155, by Mr. Varian—Amending Compiled Laws relating to Revenue.

Referred to the Committee on Ways and Means.

H. B. No. 156, by Mr. Stanford—Amending Compiled Laws relating to Tax Sales.

Referred to the Committee on Judiciary.

H. B. No. 157, by Mr. Ivins—Amending Compiled Laws relating to District Courts.

Referred to the Committee on Judiciary.

H. B. No. 158, by Mr. Hatch—Relating to Practice of Medicine.

Without printing, referred to the Committee on Public Health.

H. B. No. 159, by Mr. Sears—To amend Laws of 1892, relating to the Appointment of City Officers.

Referred to the Committee on Judiciary.

H. B. No. 160, by Mr. Varian (by request)—Amending Session Laws, 1892, relating to the Collection of Taxes.

Referred to the Committee on Ways and Means.

H. J. M No. 16, by Committee on Judiciary—Asking Congress to Validate the Leasing of Certain School Lands.

Read first time by title, second and third times under suspension of the rules, and passed, 22 to 0, and title approved.

## ROLL CALL ON PASSAGE OF H. J. M. No. 16.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Noes—0.

Absent—Pigman, Powers—2.

H. J. R. No. 11, by Mr. Allen—Relating to the Investigation of the System of Records, etc.

Read first and second times by title, under suspension of the rules, and referred to the Committee on Judiciary.

H. J. R. No. 12, by Mr. Parsons, read first and second times by title, under suspension of the rules, third time at length, and passed.

## ROLL CALL ON PASSAGE OF H. J. R. NO. 12.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Parsons, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—Nebeker, Pigman, Powers—3.

## MOTIONS AND RESOLUTIONS.

On motion, H. B. No. 134 was made the special order for Wednesday, February 28th, at 2:30 p. m.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
February 24, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 91, relating to Special Verdicts, has passed the Council—ayes, 8; absent, 4; and is herewith transmitted.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received and C. B. No. 91 placed on file for first reading.



Council Chamber,  
February 24, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has rejected, on report of Committee, H. B. No. 75, Providing for the Appointment of Women, etc., and H. B. No. 103, to Prevent Police Officers Accepting Other Offices, and that both are herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 23, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 38, relating to the Revocation of Liquor Licenses, etc.—ayes, 10; absent, 2; also amended and passed H. B. No. 97, in Relation to Towns—ayes, 11; absent, 1; also amended and passed H. B. No. 121, to Require Railroad Corporations to Post Notices, etc.—ayes, 9; noes, 2; absent, 1; and that the three bills are herewith transmitted.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 38 placed on file for first reading.

The House concurred in Council's first amendment to H. B. No. 97, but refused to concur in the second amendment to said bill, and all the amendments to H. B. No. 121.

Council notified.

Council Chamber,  
February 21, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 76, abolishing the Office of

Collector in Cities of the Third Class—ayes, 11; absent, 1; and C. B. No. 87, Relating to Witnesses—ayes, 11; absent, 1; and both are herewith transmitted.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and C. Bills, Nos 76 and 87 placed on file for first reading.

Council Chamber,  
February 26, 1894.

Mr. Speaker:

I am directed to inform your honorable body that His Excellency, the Governor, has approved, signed and filed with the Territorial Secretary, An Act Amending Sub-division 6 of Section 1755, s 1, of the Compiled Laws of Utah, of 1888. C. B. No. 105.

Also An Act to Amend An Act, entitled An Act to Amend Sections 1761, 1790 and 1791, Compiled Laws of Utah of 1888, relating to the Election of Justices of the Peace in Cities, approved March 4 1892. C. B. No. 8.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

#### COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH.  
Executive Office,  
Salt Lake City,  
February 21, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly, Utah Territory, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, Petition to the Senate and House of Representatives of the United States in Congress Assembled, referring to Southern Ute Indians.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

## THIRD READING OF BILLS.

H. B. No. 55, by Mr. Stanford—A Bill for An Act to Amend Compiled Laws as Amended by Session Laws, Relating to Revenue.

Bill, as amended, passed, and title approved.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

Mr. McBride moved to suspend the rules requiring notice to move for a reconsideration of a vote.

Motion lost.

H. J. Resolutions Nos. 4 and 6, by Mr. Varian and Committee on Claims—Relating to Costs and Expenses of Criminal Prosecutions, etc.

On motion of Mr. Varian, the consideration of H. J. Resolutions Nos. 4 and 6 was indefinitely postponed.

H. B. No. 31, by Mr. Johnson (by request)—Relating to the Practice of Medicine. Bill lost 23 to 1.

Ayes—Powers—1.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

H. B. 130, by Mr. Varian—A Bill for An Act to Provide for the Payment of Witnesses and Jurors, and Making an Appropriation Therefor

Bill, as amended, passed, 18 to 4, and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 130.

Ayes—Allen, Clark, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Tolton, Varian, Mr. Speaker—18.

Noes—Dougall, Stanford, Stoker, Wines—4.

Absent—Sears, Warner—2.

C. B. No. 85, by Committee on Counties—Relating to Locating of County Seats.

Bill passed and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 85.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Noes—0.

Absent—Powers, Sears—2.

H. B. No. 72, by Mr. Clark, (by request)—To Regulate the Practice of Medicine.

Rules were suspended, bill read by title third time and lost.

ROLL CALL ON PASSAGE OF H. B. NO. 72.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Ayes—0.

Absent—Powers, Sears—2.

H. B. No. 82, by Mr. Stoker (by request)—To Promote the Science of Medicine and Surgery, etc.

On motion of Mr. Allen, the enacting clause was stricken out.

H. B. No. 83, by Mr. Clark—To Encourage the Building of Reservoirs and the Reclamation of Desert Lands.

Read third time and amended. Bill, as amended, passed—ayes, 15; noes, 7; absent, 1.

ROLL CALL ON PASSAGE OF H. B. NO. 83.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Moore, Nebeker, Parsons, Varian, Warner, Wines, Mr. Speaker—15

Noes—Hubbard, Ivins, Monson, Pigman, Powers, Stoker, Tolton—7.

Absent—Sears, Stanford—2.

Mr. Nebeker gave notice that he would ask for the reconsideration of the vote by which H. B. No. 83 was passed on Tuesday, February 27th.

Mr. Parsons was given permission to delay asking for the reconsideration of the vote by which the enacting clause of H. B. No. 118 was stricken out on February 24th, until Thursday next, March 1st.

On motion of Mr. Varian, the House adjourned at 5:50.

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## FIFTY-FIRST DAY.

### MORNING SESSION

House of Representatives,  
Tuesday, February 27, 1894.

House called to order at 10 a. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the fiftieth day read, corrected and approved.

Mr. McBride was excused for the day.

### PRESENTATION OF PETITIONS.

H. P. No. 78, by Mr. Sears—Petition of Citizens of Mill Creek, Protesting against Medical Legislation.  
Referred to the Committee on Public Health.

H. P. No. 79, by Mr. Ivins—Petition of J. J. Steiner, Against Medical Law.

Referred to the Committee on Public Health.

H. P. No. 80, by Mr. Warner—Petition of Utah School for the Deaf.

Referred to the Committee on Penitentiary and Reform School.

H. C. No. 69, by Mr. Varian—Claim of Wells, Fargo & Co. Exchange of Bonds, \$23.45.

Referred to the Committee on Claims.

Mr. Parsons moved to make H. B. No. 139 the special order for 11:30 a. m. to-day.

Carried.

#### REPORTS OF STANDING COMMITTEES.

##### JUDICIARY.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. Bills Nos. 144 and 148, beg leave to report the same with the recommendation that both do pass.

VARIAN,  
Chairman of Committee.

Received.

##### EDUCATION.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Education, having duly considered H. B. No. 135, relating to the Establishment of Kindergartens in Utah, beg leave to report as follows: We recommend that the bill do pass.

ALLEN,  
Chairman of Committee.

Received.

## WAYS AND MEANS.

Committee Room,  
February 27. 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred H. B. No. 146, An Act Authorizing the Secretary of the Territory to make Contracts for Office Rooms and Supplies for Territorial Officers, having had the same under consideration, respectfully recommend that it be placed upon its passage.

STANFORD.  
Chairman of Committee.

Received.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred C. B. No. 27, An Act to amend Subdivision 3, General Section 2909, s 2, Chapter X, entitled General Revenue for Territory, Counties and Schools, page 720, Volume 1, Compiled Laws of Utah, 1888, having duly considered the same, beg leave to report that they recommend the same do not pass.

STANFORD,  
Chairman of Committee.

Received.

## CONSIDERATION OF REPORTS OF COMMITTEES.

H. B. Nos. 144 and 148 were filed for third reading.

H. B. No. 135 was filed for third reading.

H. B. No. 146 was filed for third reading.

C. B. No. 27 was filed for third reading.

## READING OF BILLS.

The following bills were read first and second times by title, under suspension of the rules:



C. B. No. 76, by Mr. Hague—To abolish the Office of Collector in Cities of the Third Class.

Referred to the Committee on Ways and Means.

C. B. No. 91, by Mr. Williams—A bill for An Act Amending the Compiled Laws Relating to Special Verdicts, etc.

Referred to Committee on Judiciary.

C. B. No. 38, by Mr. John E. Booth—A Bill for An Act to Amend the Compiled Laws Relating to Revocation of Liquor Licenses.

Referred to the Committee on Ways and Means.

C. B. No. 87, by Mr. H. E. Booth—A Bill for An Act Amending the Compiled Laws Relating to Witnesses.

Referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
February 26, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly, Utah Territory, Salt Lake City, Utah.

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Amend Sections 6, 11 and 13, Chapter LXII, of the Session Laws of Utah, 1892, relating to University Lands.

I am, sir, very respectfully,

CALEB W. WEST,  
Governor

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
February 26, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Amending Chapter, L, of the Laws of Utah, 1890, entitled An Act Concerning the Laying Out and Platting of Towns.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 26, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has approved, signed and filed with the Secretary of the Territory of Utah, C. J. M. No. 2, A Memorial to the Congress of the United States Praying for the Restoration of Certain Lands in the Uintah Reservation.

Also C. B. No. 12, An Act to Amend Chapter XIII, Vol. 2, of the Compiled Laws of the Territory of Utah of 1888, entitled Procedure of Probate Courts in the Settlement of Estates and Guardianship.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received..

Council Chamber,  
February 26, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council amended H. C. R. No. 3, so as to provide for the

transmittal of 250 copies of the Compiled Laws of 1888, to County Courts, instead of 1000.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

The House refused to concur in the amendment to H. C. R. No. 3, and the Council was notified.

Council Chamber,  
February 26, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council amended H. B. No. 55, Relating to Revenue, by interlineation, and subjoined an additional section, and, as amended, passed it—ayes, 11; noes, 0; absent, 1; and it is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

The House refused to concur in the amendments of the Council to H. B. No. 55, and the Council was notified.

Council Chamber,  
February 26, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 67, (substitute)—To Protect Associations, etc., in Forms of Advertising—ayes, 7; noes, 4; absent, 1; also, C. B. No. 88—Regulating the Sale of Intoxicating Liquors—ayes, 11; noes, 0; absent, 1; also, H. B. No. 102—Making an Appropriation to Defray Expense, etc., in making exhibit for Utah at the World's Fair 1892-3, amending the original by interlineation, viz., inserting \$60,678.39, instead of the original amount, changing the rate of interest to six per cent, from April, 1894, payable

January 1, 1895, striking out "such time as they shall be redeemed by the Territorial Treasurer"—ayes, 11; noes, 0; absent, 1.

The three bills named are herewith forwarded.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

C B. Nos. 67 and 88 were filed for first reading.

The amendments to H. B. No. 102 were adopted, the Council was notified and the bill was sent to the Enrollment Committee.

#### THIRD READING OF BILLS.

H. B. No. 152, by Committee on Judiciary (Substitute for C. B. No. 75)—Relating to the Appointment of Precinct Officers.

Bill passed, 21 to 0, and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 152.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

Absent—McBride, Nebeker, Powers.

H. B. No. 88, by Mr. Johnson (by request)—To Regulate the Practice of Medicine.

On motion of Mr. Johnson, the enacting clause was stricken out.

H. B. No. 126, by Mr. Allen—Requiring the Recording of Judgments, etc.

Bill lost, 16 to 0.

## ROLL CALL ON PASSAGE OF H. B. NO. 126.

Noes—Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Sears, Stoker, Tolton, Varian, Mr. Speaker—16.

Ayes—0.

Not voting—Allen, Hatch, McBride, Stanford, Warner, Wines—6.

Absent—Nebeker, Powers—2.

H. B. No. 133, by the Committee on Fish and Game (Substitute for H. Bills Nos. 20 and 80)—For the Protection of Fish and Game, etc.

While under discussion, and before the final disposition, Mr. Stanford moved to take a recess.

Motion lost.

## SPECIAL ORDER.

The hour for the Special Order having arrived, Mr. Varian moved that it be postponed temporarily.  
Carried.

Mr. Powers moved to make H. B. No. 139 the Special Order for 2 p. m.  
Carried.

At 12 m., Mr. Pigman moved to take a recess until 2 p. m.  
Carried.

## AFTERNOON SESSION.

House reconvened at 2. p. m. Speaker Emery in the Chair.

Roll call—Quorum present.

## SPECIAL ORDER.

H. B. No. 139, by Committee on Appropriations—(Substitute for H. B. No. 132)—To Provide Labor for the Destitute Poor of Utah Territory.

Bill as amended passed, 18 to 0 and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 139.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—18.

Noes—0.

Absent—Clark, Hatch, McBride, Monson, Parsons, Varian—6.

H. B. No. 133, by the Fish and Game Committee (as a Substitute for H. B. Nos. 80 and 20)—To Protect Fish and Game.

The bill, as amended, passed, 21 to 0

## ROLL CALL ON PASSAGE OF H. B. NO. 133.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21.

Noes—0.

H. B. No. 138, by Mr. Sears—Giving Mayors Power to Execute Titles to Certain Lands, etc.

The bill was passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 138.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Noes—0.

Absent—Clark, Hatch, McBride, Nebeker—4.

H. B. No. 137, by Mr. Warner (by request)—Relating to Appointment of Receiver.

Bill lost—20 to 0.

## ROLL CALL ON PASSAGE OF H. B. NO. 137.

Ayes—0.

Noes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Powers,

Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Absent—Clark, Hatch, McBride, Nebeker—4.

H. B. No. 136, by Mr. Stanford, (by request)—A Bill for An Act in Relation to Corporate Suretyship.

Bill lost—20 to 0.

ROLL CALL ON PASSAGE OF H. B. NO. 136.

Noes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Ayes—0.

Absent—Clark, Hatch, McBride, Nebeker—4

H. B. No. 141, by Mr. Warner (by request)—Amending Compiled Laws Relating to Post Mortem Examinations.

Bill passed, 18 to 1, and title approved.

ROLL CALL ON PASSAGE OF H. B. No 141.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—18.

Noes—Tolton—1.

Absent—Clark, Hatch, McBride, Powers, Nebeker—5.

H. B. No. 142, by Mr. McBride—Establing Boundary Lines Between Juab and Tooele Counties.

Bill passed, 19 to 0, and title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 142.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19.

Noes—0.

Absent—Clark, Hatch, McBride, Nebeker, Powers—5.

H. B. No. 143, by Mr. Allen—To Provide for Establishment of State Board of Health, etc.



On motion of Mr. Allen, the enacting clause was stricken out.

H. B. No. 149, by Mr. Johnson—Amending Compiled Laws, Relating to Befouling of Waters.

Bill passed, 18 to 1, and title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 149.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—18.

Noes—Tolton—1.

Absent—Clark, Hatch, McBride, Nebeker, Powers—5.

H. J. M. No. 15, by Mr. Ivins—Asking Annexation of Part of Arizona to Utah.

Memorial passed, 19 to 0, and title approved.

ROLL CALL ON PASSAGE OF H. J. M. NO. 15.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19.

Noes—0.

Absent—Clark, Hatch, McBride, Nebeker, Powers—5.

Mr. Allen moved that when the House do adjourn it be until 2 p. m., Wednesday, February 28.

Carried.

C. B. No. 13, by Mr. Williams—To Provide for the Investment of the Permanent Fund of the University of Utah.

Bill lost—13 to 5—and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 13.

Ayes—Allen, Hubbard, Monson, Moore, Wines—5.

Noes—Dougall, Ivins, Johnson, Mason, McKay, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner—13.

Absent—Clark, Hatch, McBride, Nebeker, Powers—5.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
February 27, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. J. R. No. 12—ayes, 10; noes, 1; absent 1; and that the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. J. R. No. 12 sent to the Enrollment Committee.

C. B. No. 46, by Mr. H. E. Booth—A Bill for An Act to Provide for the Education of Blind Children.

Bill as amended passed—20 to 0—and title approved.

## ROLL CALL ON PASSAGE OF C. B. NO. 46.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Noes—0.

Absent—Clark, Hatch, McBride, Nebeker—4.

H. B. No. 148, by Mr. Johnson—A Bill for An Act Amending Section 4, Chapter XXIV, Laws of 1892, relating to Cities of Third Class.

Bill passed—19 to 0—and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 148.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19.

Noes—0.

Absent—Clark, Hatch, McBride, Nebeker, Powers—5.

H. B. No. 144, by Mr. Powers—Amending Compiled Laws, relating to Fees of Witnesses, etc.

Bill passed—20 to 0—and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 144.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines—20.

Noes—0.

Absent—Clark, Hatch, McBride—3.

On invitation, Mr. Tolton assumed the Chair of the Presiding Officer, and Speaker Emery was excused for the day.

H. B. No. 135, by Mr. Allen—A Bill for An Act Permitting School Boards to Establish Kindergartens.

Bill passed and title approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 135.

Ayes—Allen, Dougall, Hubbard, Ivins, Johnson, McKay, Monson, Moore, Parsons, Pigman, Powers, Stoker, Tolton, Varian, Wines—15.

Noes—Sears—1.

Absent—Clark, Hatch, Mason, McBride, Nebeker, Stanford, Warner, Mr. Speaker—8.

Mr. Ivins, at 5 p. m., moved to adjourn.

Carried.

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FIFTY-SECOND DAY.

House of Representatives,  
Wednesday, February 28, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the fifty-first day read and approved.

## PRESENTATION OF PETITIONS.

H. Report No. 6, by Speaker Emery—Report of Commission to Locate University Lands.

Read at length and referred to Committee on Ways and Means.

H. P. No. 81, by Mr. Ivins—Petition of J. W. Taylor relating to Medical Laws.

Referred to the Committee on Public Health.

H. P. No. 82, by Mr. Hubbard—Petition of Residents of Box Elder County, relating to Destruction of Certain Wild Animals.

Referred to the Committee on Fish and Game.

H. C. No. 70, by Mr. McBride—Claim of Star Printing Company, of \$44.40.

Referred to the Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## ENROLLMENT.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No 102, An Act Making an Appropriation to Defray the Expense of the Utah World's Fair Commission, etc., beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. R. No. 12, A Resolution Providing for the Payment of the \$2000 Appropriation for Labor on the Capitol Site, beg

leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

SUB-COMMITTEE ON CLAIMS.

Committee Room,  
February 29, 1894.

Mr. Speaker:

Your Sub-committee on Claims, to whom was referred H. Claims Nos. 44, 52, 56, 60 and 66, having considered the same report as to Claims Nos. 44, 52 and 56 that we have disallowed the same, and respectfully refer the House to resolution adopted by Committee on Claims February 20, 1894, concerning the same.

As to claims Nos. 60 and 66, we recommend that they be allowed, and the amounts claimed therein be placed in General Appropriation Bill.

NEBEKER,  
Chairman Sub-committee.

Received.

JUDICIARY.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. B. No. 124, An Act entitled, An Act to Amend Section 1790 of the Compiled Laws of Utah of 1888, and to Repeal Chapter XXIV of the Session Laws of Utah of 1892, beg leave to report that they recommend that it do not pass.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. B. No. 157, An Act to Amend Chapter LVI, Session Laws of 1892, Relating to District Courts, having duly considered the same, beg leave to report the following amendment:

Add at the end of the Section, "The cost of said publication shall be allowed and paid by the County Court of the county where the court is held," with the recommendation that it do pass as amended.

VARIAN,  
Chairman of Committee.

Received.

#### WAYS AND MEANS.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Ways and Means; to whom was referred H. J. R. No. 10, Relating to the Monument Commemorating the Life and Services of Brigham Young, having duly considered the same, recommend that it be adopted.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred C. B. No. 38, An Act to Amend Section 1, Chapter LII, of the Session Laws of 1892, Relating to the Revocation of Liquor Licenses, having duly considered the same, beg leave to report the following amendments:

First—In Line 5, Section 1, strike out the word "have" and insert in lieu thereof the word "had."

Second—Strike out after the word "business" all the words following in line 5, and up to and including the word

"dollar," in line 6, and recommend that it do pass as amended.

STANFORD,  
Chairman of Committee.

Received.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred H. B. No. 155, An Act Amending Section 1 of an Act entitled, An Act Amending Sections 2008, 2012, 2013, 2023, 2027, 2030 and 2043 of the Compiled Laws of Utah of 1888, Relating to Revenue, etc., having duly considered the same, beg leave to report the bill without recommendation, but ask that the same be put upon its passage.

STANFORD,  
Chairman of Committee.

Received.

#### COUNTIES.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Counties, having duly considered H. B. No. 37, as amended by the Council, beg leave to report as follows: We recommend that the House do not concur in the amendments.

McKAY,  
Chairman of Committee.

HATCH,  
STOKER,  
WINES,  
HUBBARD.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

H. Claims Nos. 60 and 66, on the recommendation of the Sub-committee on Claims, were referred to the Committee on Appropriations, and H. Claims Nos. 44, 52 and 56 were laid on the table.



H. Bills Nos. 124 and 155 and H. J. R. No. 10 were filed for third reading.

The amendments offered by the Committee on Ways and Means to H. B. No. 157 and C. B. No. 38 were adopted, and H. B. No 157 was filed for third reading and C. B. No. 38, as amended, was returned to the Council.

H. B. No. 37 was filed for third reading.

#### SPECIAL ORDER.

2:30 p. m.

On motion of Mr. Mason, H. B. No. 134, the special order for this hour was laid on the table.

#### READING OF BILLS.

The following Council Bills were read the first and second times by title, under suspension of the rules:

C. B. No. 67, by Mr. H. E. Booth—A Bill for An Act to Protect Associations and Firms in their Forms of Advertising.

Referred to Committee on Judiciary.

C. B. No. 88, by Mr. Lund—Regulating the Sale of Intoxicating Liquors.

Referred to the Committee on Ways and Means.

#### MOTIONS AND RESOLUTIONS.

On motion of Mr. Pigman, H. B. No. 110 was made the special order for 3:30 p. m., this day.

On motion of Mr. Stanford, H. B. No. 66 was taken from the table and filed for third reading.

On motion of Mr. Nebeker, the Clerk was instructed to ask the Council to return H. B. No. 55.

## COMMUNICATIONS FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
February 26, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, a Resolution directing the Territorial Treasurer to pay the warrants on account of the appropriation for labor on the Capitol site without regard to the payment of other warrants.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
February 27, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah.

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act making an Appropriation to Defray the Expense Incurred by the Utah World's Fair Commission in Making an Exhibit for Utah at the World's Columbian Exposition at Chicago in the years 1892 and 1893.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 27, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council passed C. J. M. No. 6, relating to the Woman's Industrial Home, ayes, 11; noes, 1; also C. B. No. 103 (Substitute), Authorizing Courts to Appoint Fruit Tree Inspectors, ayes, 11; absent, 1; also C. B. No. 95, to Amend Laws to Prevent Cruelty to Animals, ayes, 8; noes, 2; absent 2; also C. B. No. 64, (ayes, 11; absent, 1) relating to Revenue, Duties of County Clerks and Territorial Boards of Equalization; also C. B. No. 98, Authorizing Auditors and Treasurers to Appoint Deputies, etc., ayes, 11; absent, 1; all of which are herewith forwarded for your consideration.

Five enclosures.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

C. Bills Nos. 64, 95, 98 and 103, and C. J. M. No. 6 were placed on file for first reading.

Council Chamber,  
February 27, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council requested the Governor, (to whom had been transmitted C. B. No. 42 for approval) to return it for reconsideration. The act is to extend the time for complying with certain provisions relating to rules, etc., under Town-site Act, and upon its receipt from His Excellency, it was amended by striking out, in line 13, the words "Probate Court" and inserting in lieu thereof the words "Court of Competent Jurisdiction." The vote was unanimous, and the bill, as amended, is herewith sent for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 42, with Council Communication, were referred to Committee on Municipal Corporations, on motion of Mr. Varian.

Council Chamber,  
February 27, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council passed, by 10 ayes, 2 absent, H. J. M. No. 4—To Extend the Time for Complying with the Requirements of the Deseret Land Laws of Congress, and is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and the Memorial was sent to the Committee on Enrollment.

Council Chamber,  
February 27, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has rejected H. B. No. 43, Relating to Bounty for Destruction of Birds, etc., on motion to reject—ayes, 12; noes, 0; and that it is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

#### THIRD READING OF BILLS.

C. B. No. 27, by Mr. John E. Booth—A Bill for An Act to Amend the Laws Relating to General Revenue for the Territory, Counties and Schools etc.

Bill lost, 20 to 0, and the Council was notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 27.

Ayes—0.

Noes—Allen, Dougall, Hatch, Hubbard, Ivins, Johnson,

Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Mr. Speaker—20.

Absent—Parsons, Powers, Wines—3.

Excused—Clark—1.

H. B. No. 146, by Mr. Sears—A Bill for An Act to Provide Offices and Supplies for Certain Territorial Officers.

Mr. Nebeker moved to strike out the enacting clause.

Motion lost.

The bill, as amended passed, 21 to 3 and the title was approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 146.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—21

Noes—Monson, Nebeker, Powers—3.

Mr. Hubbard was excused for the day.

H. B. No. 140, by Mr. Stanford—Regulating the Inspection and Sale of Oils.

On motion of Mr. Stanford, the bill was made the special order for Thursday, at 2:30 p. m.

H. B. No. 151, by the Committee on Education, (Substitute for H. Bills Nos. 62 and 120)—To Amend the Session Laws Relating to District Schools.

Consideration postponed.

#### SPECIAL ORDER—3:30 P. M.

H. B. No. 110, by the Committee on Militia, (Substitute for H. B. No. 39)—To Create the Utah National Guards.

The bill, as amended passed, 19 to 4, and the title was approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 110.

Ayes—Allen, Clark, Dougall, Hatch, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Stanford, Varian, Warner, Wines, Mr. Speaker—19.

Noes—Parsons, Sears, Stoker, Tolton—4.

Absent—Hubbard—1.

The House then resumed the consideration of H. B. No. 151.

After a lengthy consideration, the bill, on motion of Mr. Allen, was laid on the table, subject to call.

Mr. Parsons, at 4:40 p. m. moved to adjourn.

Carried.

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### FIFTY-THIRD DAY.

House of Representatives,  
Thursday, March 1, 1894.

House called to order at 2 p. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by the Chaplain.

Minutes of the fifty-second day read, and approved.

### PRESENTATION OF PETITIONS.

### COMMUNICATION FROM THE AUDITOR.

TERRITORY OF UTAH,  
Auditor's Office,  
Salt Lake City,  
February 27, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Dear Sir—Agreeable to request contained in H. R. No. 22, I have the honor to transmit herewith an itemized statement of the disposition made of the appropriation for incidental expenses of the offices of the Auditor of Public Accounts and Recorder of Marks and Brands for the years 1892 and 1893. Also the amount paid for rent of offices of Auditor of Public Accounts and the Recorder of Marks and Brands, for said years.

It will be seen that the amount expended for inciden-

tals in the offices of the Auditor of Public Accounts and Recorder of Marks and Brands exceeds the appropriation—\$169.88. My predecessor claims that this indebtedness was incurred in good faith, and that the expenditures were necessary for the proper transaction of the public business intrusted to his care, and he respectfully requests the Legislative Assembly to make an appropriation covering said deficiency.

The vouchers for these expenditures are on file in my office. They have been compared with the statement by Arthur Stayner, Esq., the gentleman appointed by the Assembly to audit the books of the Auditor of Public Accounts and the Recorder of Marks and Brands, as appears by his certificate attached. Should the Assembly, or any of its Committees, desire to inspect these or any other vouchers on file in this office, the Auditor will take pleasure in waiting upon them with such vouchers as they may desire.

Very respectfully,

JOHN T. CAINE,

Auditor of Public Accounts.

Read at length and referred to the Committee on Claims, with accompanying vouchers.

H. P. No. 83, by Mr. Johnson—From residents of Sanpete County, asking the repeal of all Medical Laws.

Referred to the Committee on Public Health.

#### REPORTS OF STANDING COMMITTEES.

##### WAYS AND MEANS.

Committee Room,

February 28, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred H. B. No. 122, An Act Providing for the Issuing and Disposing of Territorial Bonds, having considered the same, and being divided upon the matter, beg leave to report the same without recommendation, and ask that it, be placed on file for third reading.

STANFORD,

Chairman of Committee.

Received.



## MAJORITY REPORT.

Committee Room,

March 1, 1894.

Mr. Speaker:

A majority of your Committee on Ways and Means, having duly considered H. B. No. 128—An Act to Prevent Officers of Territorial Institutions from Creating Deficits in Excess of Appropriations, beg leave to report that they recommend that it do pass.

C. P. MASON,  
H. M. DOUGALL,  
J. F. TOLTON,  
CHARLES R. MCBRIDE,  
Members of the Committee.

Received.

## MINORITY REPORT.

Committee Room,

March 1, 1894.

Mr. Speaker:

A minority of your Committee on Ways and Means, having considered H. B. No. 128—An Act to Prevent Officers of Territorial Institutions from Creating Deficits in Excess of Appropriations, beg leave to report the following amendments:

Change Section 2 to Section 3, and insert in lieu of Section 2 the following:

"Section 2. That when any of the officers above named shall desire authority for any unprovided expenditure, he or they shall apply to the Governor therefor, and if the showing shall be such that the Governor deems the demand absolutely necessary, he shall, with the Secretary and Auditor of the Territory, constitute a board of authority for the distribution of a sum not to exceed \$10,000 in warrants upon the Treasurer (payable to the fund where the deficit exists) or to the several offices and institutions where the deficit exists; *Provided*, That no one institution or department shall receive more than twenty-five per cent. of the total deficiency allowance.

"In case of danger of loss, or emergency, the Governor

shall notify each member of the Thirty-first Legislative Assembly, who shall, within five days thereafter, inform the Governor by letter his position upon the expenditure. If a majority of all the members elect shall be favorable, he shall so increase the above deficiency allowance as to meet the same at its minimum requirement," and recommend that the bill do pass as amended.

STANFORD,  
Chairman.

Received.

CLAIMS.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was recommitted H. C. No. 33, of L. G. Hardy, for \$1,462.00, beg leave to report that we have had the same under consideration, and recommend that as there are judicial questions involved in this claim, which should be adjudicated and determined by the courts; concerning the action of said claimant in reference to the taxes collected for which this claim forms a part.

We therefore recommend that the claim be not allowed.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 63, of Wasatch County, for \$65.00, for Maps and Plats Furnished the County Assessor for 1892 and 1893, beg leave to report that we have had the same under consideration and recommend that the sum of \$65 be appropriated in full for said claim.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred House Petition No. 67, of H. S. Cutler, Collector of Kane County, for \$34.18 for Uncollectible Territorial Taxes for 1890, 1891 and 1892, beg leave to report that we have had the same under consideration and recommend that the sum of \$34.18 be appropriated in full for said claim.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. Claims No. 41, of William Pitts, for \$162.66; No. 21, of Don C. Huntington, of \$6; No. 39, of Adam Larson, for \$59.20; No. 43, of John Rydalph, for \$23.50; No. 57, of W. D. Huntington, for \$5.70, and No. 13, of F. G. Lyngberg, for \$40, beg leave to report that we have had the same under consideration, and recommend that said claims lie on the table; that a bill, H. B. No. 130, has passed this House, appropriating money for the payment of such certificates.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 26, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 49, of Thomas W. Russel, for \$80.55; and H. C. No. 64, of Wayne County, for \$141.65, for Criminal Prosecutions in Justices' Courts and for Fees in such courts, beg leave to report that in accordance with the resolution reported by this committee on February 20, 1894, we recommend that these claims be not allowed.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred the communication of the Territorial Auditor, dated February 23, 1894, enclosing Territorial warrants 2420, 3057 and 3515, beg leave to report that we have had the said communication, with the warrants attached thereto, under consideration, and recommend that the sum of \$3.90 be appropriated to James McKnight, in full for Territorial Warrant No. 2420; to Ambrose Shaw the sum of \$20.20, in full for Warrant No. 3515; and to D. Alexander \$1.70, in full for Warrant No. 3057.

Making a total appropriation for the payment of said warrants of \$25.80.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 27, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. Claim No. 67, of Josiah Barnett, Territorial Treasurer, for \$192, for storage on public documents, etc., beg leave to report that we have had the same under consideration, and recommend that the sum of \$100 be appropriated in full for said claim, and that said sum of \$100 be paid by said Territorial Treasurer to Spencer Clawson in full for all charges and claims against the Territory of Utah for the storage of public documents set forth in this claim.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
February 27, 1894.

Mr Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C, No. 67, of Wells, Fargo & Co., for \$23.45, for exchange on coupons of Series 3, of Territorial

Bonds, beg leave to report that we have had the same under consideration, and recommend that the sum of \$23.45 be appropriated in full for said claim.

SEARS,  
Chairman.

Received.

#### JUDICIARY.

Committee Room,  
March 1, 1894.

Mr Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 145, entitled A Bill for An Act to Cure, Validate and Confirm Certain Acts of the Ogden City Council, Concerning the Paving of Twenty-Fifth Street, in said City, having duly considered the same. beg leave to report as follows: The object of the bill is to cure, legalize and confirm "all and every act, or acts, done by the Common Council of Ogden City, in and about the passing of an ordinance, giving notice of intention, levying assessments, making contracts to pave District No. 2," and the evidence and statements made before the Committee tend to show that there is at least a serious question whether the City Council acquired jurisdiction under the City Charter to do the work. About seventy tax-payers (said to be more than one-half of the abutting owners) promptly protested, and an action is pending in the District Court to determine the legality of the Acts of the City Council. In this action at least three jurisdictional questions are presented for the decision of the Court. The protestants claim in this action that no valid resolution or ordinance creating the paving district was passed, and that in any event, more than one half of the abutting owners protested, etc., and that the notice required by statute was not given.

We do not think it necessary for the Committee to hear and determine these questions. They are judicial in their nature, and the Court is the proper forum for their decision. The Legislature would not have the power in advance to authorize such proceedings by a City Council without ordinance or an equivalent resolution, nor could it empower the Council to bind the property of the citizens without notice.

It follows that it has not power to ratify acts which it could not authorize in advance.

These questions are now before the courts for determination. If decided against the city, we apprehend that the proposed bill, if enacted, would be of no effect.

If the case presented mere errors or irregularities committed by the City Council after it had acquired jurisdiction, it might (depending on circumstances) be proper for the Legislature to interfere. In such case however, the method by special act of giving relief involves a doubtful question of power under the restrictive Act of Congress.

In conclusion, we do not wish to be understood as claiming that the allegations of the protesting taxpayers in their suit against the city are true or untrue. We simply say that the questions they present are jurisdictional and essentially judicial in their natures and that the Legislature cannot properly interfere. We recommend, therefore, that the bill do not pass.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
March 1, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. B. No. 126, An Act to Amend Section 1, Chapter XXXI of the Session Laws of 1892, Relating to tax sales, having duly considered the same, beg leave to report the following amendments:

First—Amend the title, by striking out “Section 1” and inserting “Section 2,” in lieu thereof.

Second—Amend Section 1, by striking out “1” in lines 1 and 2, and inserting “2,” in lieu thereof.

Third—Amend Section 1, in line 6 by striking out “25” whenever it occurs in said line, and inserting “75” in lieu thereof.

Fourth—Amend Section 1, in line 8, by adding thereto the following words: “No further costs shall be assessed or collected by any collector in case of such sales.”

Fifth—Insert, in lieu of Section 2, the following:



"Section 2. The provisions of this act shall apply only to collectors elected or appointed after the passage of this act," and recommend that it do pass as amended.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
March 1, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred the following bills:

C. J. M. No. 5—Asking Congress to Repeal, Modify and Amend the Poland Bill.

C. B. No. 91—An Act Amending Section 3374, of the Compiled Laws of Utah, of 1888, relating to Special Verdicts.

H. B. No. 106—An Act to Amend Section 3654, of the Compiled Laws.

H. B. No. 159—An Act Amending Section 1, Chapter XVIII. Laws of Utah, 1892, and Sections 313, 1763 and 1764. Compiled Laws of Utah, 1888.

H. B. No. 105—An Act in relation to Assignments for the benefit of Creditors.

C. B. No. 69—An Act to Regulate Assignments for the Benefit of Creditors; and beg leave to report that they recommend that the said bills do not pass.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
March 1, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered A Bill for An Act Amending Section 2393, of the Compiled Laws of Utah, 1888, relating to Private Corporations, ask leave to introduce the same with the recommendation that it do pass.

VARIAN,  
Chairman of Committee.

Received.



Committee Room,  
March 1, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred the following: H. J. R. No. 11, Authorizing the Appointment of a Commission to Investigate the Systems of Records and Land Transfers, and to Report, etc., having duly considered the same, beg leave to report that they recommend that it do pass.

VARIAN,  
Chairman of Committee.

Received.

SPECIAL ORDER.

2:30 p. m.

H. B. No. 140, by Mr. Stanford.

On motion of Mr. Stanford, the bill was laid on the table.

REPORT OF SELECT COMMITTEE.

COMMITTEE ON CONFERENCE.

Committee Room,  
February 28, 1894.

Mr. Speaker:

Your Committee upon Conference on H. B. No. 24, relative to certain amendments made thereto by the Council, beg leave to report as follows:

Your Committee recommends that the Council recede from its amendment to Section 2, in lines 2 and 3, thereof; that the House concur in Council amendment to lines 4 and 5, in said Section; that the Council recede from its amendment of Section 5, line 1, thereof; and that the House concur in the Council amendment to Section 7, in lines 3 and 4, thereof.

JOHN SEAMAN,  
E. W. TAYLOR,  
Council Committee.  
C. E. ALLEN,  
O. W. POWERS,  
House Committee.

Received.

## CONSIDERATION OF REPORTS OF COMMITTEES.

H. B. No. 122 was filed for third reading.

H. B. No. 128, with majority and minority reports, were filed for third reading.

The report of the Committee on Claims, in reference to H. Claim No. 33, of L. G. Hardy, was adopted.

H. Claim No. 63, of Wasatch County, and H. P. No. 67, of H. S. Cutler, were referred to the Committee on Appropriations.

H. Claims Nos. 41, 21, 39, 43, 57 and 13 were laid on the table, as per recommendation of the Committee on Claims.

H. Claims 49 and 64 were laid on the table.

The reports of the Committee on Claims, referring to certain warrants received from the Territorial Auditor, with H. Claims Nos. 67 and 69, were referred to the Committee on Appropriations.

H. B. No. 145, with the report of the Committee on Judiciary, were filed for third reading.

The amendments to H. B. No. 156, offered by the Committee on Judiciary, were adopted, and, as amended, the bill was filed for third reading.

C. Bills Nos. 69 and 91, H. Bills Nos. 105, 106 and 159, and C. J. M. No. 5 were filed for third reading.

H. J. R. No. 11 was filed for third reading.

On motion of Mr. Varian, H. B. No. 161, reported by the Committee on Judiciary, amending the Compiled Laws, relating to Private Corporations, etc., was read the first and second times by title, under suspension of the rules, ordered printed and filed for third reading.

H. B. No. 24, with the report of the Committee on Conference, were filed for third reading.

Mr. Hatch moved to concur in the Council amendments to H. B. No. 37.

Carried, and H. B. No. 37 was sent to the Enrollment Committee.

## READING OF BILLS.

The following bills and memorials were read the first and second times by title, under suspension of the rules:

C. B. No. 95, by Councilor Hague—A Bill for An Act to amend the Compiled Laws, relating to Cruelty to Animals. Referred to the Committee on Public Health.

C. B. No. 64, by Councilor John E. Booth—A Bill for An Act relating to Revenue. Referred to the Committee on Ways and Means.

C. B. No. 98, by Councilor John E. Booth—Authorizing Auditor and Treasurer to make certain appointments. Referred to the Committee on Ways and Means.

C. B. No. 103, by the Committee on Agriculture (Substitute for C. B. No. 15)—A Bill for An Act to appoint Fruit Tree Inspectors.

Referred to the Committee on Agriculture.

C. J. M. No. 4, by President Breeden—Relating to Desert Lands.

Referred to Committee on Memorials.

C. J. M. No. 6, by Mr. Eldredge—Relating to the Woman's Industrial Home.

Referred to the Committee on Public Health.

## MOTIONS AND RESOLUTIONS.

On motion of Mr. Mason, H. B. No. 134 was taken from the table and filed for third reading.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
February 28, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has approved, signed and filed in the office of the

Territorial Secretary, the Act passed for the relief of William J. Shields, etc., originating in the Council as C. B. No. 65.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
February 28, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council herewith returns H. B. No. 55, as requested this day.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion of Mr. Nebeker, the Council amendments to H. B. No. 55 were concurred in, Council notified and the bill was sent to the Enrollment Committee.

Council Chamber,  
February 28, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council will be represented on the Committee provided for by H. C. R. No. 5, by Councilors Taylor and Williams.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and the Chair named as the House Committee Messrs. Parsons, Mason and Nebeker.

Council Chamber,  
February 28, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 89, To Amend Sections 2277

and 2285, of the Compiled Laws of 1888, concerning Stockholders' Meetings—ayes, 10; absent, 2; which is enclosed.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and C. B. No. 89 was filed for first reading.

Council Chamber,

February 28, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council rejected H. B. No. 116 (Substitute for H. B. No. 100)—Providing for Dissolving Irrigation Companies, and passed in lieu thereof a substitute offered by the Council Committee on Judiciary—ayes, 10; absent, 2.

The Council Substitute, type-written, is attached to H. B. No. 116, and is herewith transmitted.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

On motion of Mr. Varian, the rules were suspended and the Council Substitute for H. B. No. 116, (Substitute for H. B. No. 100)—A Bill for An Act Amending the Compiled Laws Relating to Irrigation Companies, etc., was read the first and second times by title, and referred to the Committee on Agriculture and Irrigation.

At this hour, a communication from the Governor, in reference to help for the unemployed, was received read at length, and, with sundry letters accompanying the same, was ordered printed and referred to the Committee on Ways and Means.

On motion of Mr. Varian, H. B. No. 155 was made the special order for Monday, March 5th, at 2:30 p. m.

#### THIRD READING OF BILLS.

H. B. No. 151, by the Committee on Education—(Substitute for H. Bills Nos. 62 and 120)—To Amend Session Laws Relating to District Schools.

Bill, as amended, passed—22 to 0—and the title was approved.

ROLL CALL ON PASSAGE OF H. B. NO. 151.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Noes—0.

Absent—Powers, Sears—2.

H. B. No. 66, by Mr. Hubbard—A Bill for An Act Amending the Compiled Laws, relating to Board of Equalization, etc.

Bill passed, 23 to 1, and title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 66.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23.

Noes—Parsons—1.

On motion, H. B. No. 128 was made the special order for Friday, March 2d, at 3 o'clock.

H. B. No. 27, by Mr. Hatch—Relating to Canaigre.

Bill, as amended, passed—17 to 7—and the title was approved.

ROLL CALL ON PASSAGE OF H. B. NO. 27.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Powers, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—17.

Noes—Hubbard, Ivins, Monson, Moore, Nebeker, Stoker, Tolton—7.

H. J. R. No. 10, by Mr. Powers—Relating to the Site for the Brigham Young Statue.

Resolution was passed—24 to 0—and sent to Council.

## ROLL CALL ON PASSAGE OF H. J. R. NO. 10.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24  
Noes—0.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has declined to adopt the Conference Committee recommendation, that it should recede from its amendments to H. B. No. 24, as passed by the Council February 7, 1894.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council, under a suspension of its rules, has passed C. J. R. No. 1, authorizing the Territorial Auditor to endorse the warrants drawn to defray the expenses of the Utah World's Fair Commissioners heretofore provided to be issued, with the words, "This warrant is payable January 1, 1895, and shall draw interest at the rate of 6 per cent. per annum from April 1. 1894, until paid"—ayes, 11, absent 1.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On Motion of Mr. Varian, the rules were suspended, and C. J. R. No. 1 was read first, second and third times and passed—23 to 0—and the Council notified.



## ROLL CALL ON PASSAGE OF C. J. R. NO. 1.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—23.

Noes—0.

Excused—Tolton—1.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has approved, signed, and filed with the Territorial Secretary, An Act to Provide for the Education of Blind Children," C. B. No. 46.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

Mr. Allen moved that when the House do adjourn, it be until 1 p. m., Friday.

Carried.

On motion of Mr. Sears, the House adjourned at 4:45 p. m.

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FIFTY-FOURTH DAY.

House of Representatives,  
Friday, March 1, 1894.

House called to order at 1 p. m., Speaker Emery in the Chair.

Roll call—No Quorum.

On motion of Mr. Varian, a recess was taken.

At 1:10 p. m. the House reconvened—Quorum present.

Prayer by the Chaplain.

Minutes of the fifty-third day read and approved.

## REPORTS OF STANDING COMMITTEES.

## ENROLLMENT.

Committee Room,  
March 1, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 55—An Act Relating to Amending the Revenue Law, report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
March 2, 1894.

Mr Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 37—An Act relating to Carbon County, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

## COUNTIES.

Committee Room,  
March 2, 1894.

Mr. Speaker:

Your Committee on Counties, to whom was referred H. B. No. 113—An Act Attaching a Portion of Garfield County to Wayne County, having carefully considered the same, beg leave to report that they recommend that it do not pass.

McKAY,  
Chairman of Committee.

Received.

Committee Room,  
March 2, 1894.

Mr. Speaker:

Your Committee on Counties, to whom was referred H. Petitions Nos. 61, 44, 58, 31 and 59, with reference to Changing the Boundary Line between Garfield and Wayne Counties, having duly considered the same, respectfully recommend that they lay upon the table; also H. P. No. 39, asking that the western boundary line of Uintah County be moved twenty miles west, and for an appropriation of \$2,000 for the building and repairing of roads and bridges in said County, is herewith returned, with the recommendation that it lie upon the table.

McKAY,  
Chairman of Committee.

Received.

#### MEMORIALS.

Committee Room,  
March 1, 1894.

Mr. Speaker:

Your Committee on Memorials, having duly considered C. J. M. No. 4—Relating to Desert Lands, beg leave to report as follows: We propose an amendment to said Memorial as follows:

In line 4 strike out "thus" after the word "land."

We recommend that the Memorial, as thus amended, do pass.

ALLEN,  
Chairman of Committee.

Received.

#### WAYS AND MEANS.

Committee Room,  
March 2, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred the following:

C. B. No. No. 98—An Act Authorizing the Auditor and

Treasurer to Appoint Deputies and making the Auditor Agent of the Territory in Civil Cases, beg leave to report the following amendments:

Add at the end of Section 1 the following: "And any service rendered by such deputies shall be paid by the principals out of their respective salaries."

H. B. No. 160—An Act to Amend Chapter XXXI of the Session Laws of Utah, 1892.

First—Insert in line 21, Section 1, the words "for the year 1894."

Second—Insert at the end of Section 1, the following: "Said costs, after the year 1894 shall be collected by the Collector and paid over to the General Fund of the County, and recommend that they do pass as amended.

STANFORD,

Chairman of Committee.

Received.

Committee Room,

March 1, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred the following bills: C. B. No. 64, An Act in Relation to Revenue; C. B. No. 88, An Act regulating the Sale of Intoxicating Liquors; C. B. No. 76, An Act Abolishing the Office of Collectors in Cities of the Third Class, having duly considered the same, beg leave to report that they recommend that they do pass.

STANFORD, Chairman.

Received.

AGRICULTURE AND IRRIGATION.

Committee Room,

March 2, 1894.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, having duly considered C. B. 103, An Act Authorizing County Courts to appoint Fruit Tree Inspectors, etc., beg leave to report the following amendments:

First—Insert in line 3, Section 2, the word “annually” after the word “shall.”

Second—Strike out in line 7, Section 6, the word “bearing,” and recommend that it do pass as amended.

CLARK,

Chairman of Committee.

Received.

PUBLIC HEALTH.

Committee Room,

March 2, 1894.

Mr. Speaker:

Your Committee on Public Health, having duly considered C. J. M. No. 6, Relating to the Women's Industrial Home, beg leave to report as follows: They recommend that it be referred to the Committee on Education.

WINES,

Chairman of Committee.

Received.

Committee Room,

March 2, 1894.

Mr. Speaker:

Your Committee on Public Health, having duly considered C. B. No. 95, An Act Amending Section 4773 of the Compiled Laws of Utah Territory, etc. of 1888, 2 of an act of the Governor and Legislative Assembly of the Territory, etc., beg leave to report as follows: They recommend that it be referred to the Committee on Fish and Game.

WINES,

Chairman of Committee.

Received.

Committee Room,

March 2, 1894.

Mr. Speaker:

Your Committee on Public Health, to whom was referred H. B. No. 125—A Bill for an Act to Prevent the Exposure for Sale of Unwholesome or Diseased Meats in Cities Having a Population of 15,000 Inhabitants or Over within

the Territory of Utah, beg leave to report that we have had the same under consideration and recommend that it pass as amended.

WINES,  
Chairman of Committee.

Received.

LIVE STOCK.

Committee Room,  
March 2, 1894.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. B. No. 67, An Act for the Prevention of Scab and Other Diseases Among Sheep, having duly considered the same beg leave to report the following substitute therefor, with the recommendation that it do pass, and that H. B. No. 67 lie upon the table.

HATCH,  
Chairman of Committee.

Received.

CONSIDERATION OF REPORTS OF COMMITTEES.

The amendments offered by the Committee on Memorials to C. J. M. No. 4, were adopted, and the Memorial was filed for third reading.

The amendments by the Committee on Ways and Means to C. B. No. 98, were adopted, and the bill was filed for third reading.

H. B. No. 160 was recommitted to the Committee on Judiciary.

The amendments to C. B. No. 103, by the Committee on Agriculture and Irrigating, were adopted, and the bill was filed for third reading.

On motion of Mr. Allen, C. J. M. No. 6, was referred to the Committee on Memorials.

H. B. No. 125, as amended by the Committee on Public Health, was filed for third reading.

H. Petitions Nos. 31, 39, 44, 46, 58, 59 and 61 and H. B. No. 67 were laid on the table.

H. B. No. 113, and C. Bills Nos. 64, 76, 88 and 95 were filed for third reading.

#### READING OF BILLS.

The following bills were read the first and second times by title, under a suspension of the rules:

H. B. No. 162, by the Committee on Live Stock (Substitute for H. B. No. 67)—To Prevent Scab, etc.

Ordered printed and filed for third reading.

With the unanimous consent of the House, Mr. Hubbard presented the following:

H. B. No. 163—A Bill for An Act for the Relief of certain School Districts in the matter of Levying Taxes.

Under a suspension of the rules, the bill was read the first, second and third times and passed, as amended, 22 to 0. The title was approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 163.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—22.

Noes—0.

Absent—Parsons, Varian—2.

C. B. No. 89, by Mr. Williams—A Bill for An Act amending the Compiled Laws, relating to Meetings of Stockholders.

Referred to the Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Stanford moved to take H. B. No. 140 from the table and make it the special order for 2:30 p. m. to-day.

Carried.



The House consenting, Mr. Warner introduced the following:

H. C. R. No. 6—Relating to Reform School and Military Academy, etc.

The resolution was read at length the first time, the second time by title, under a suspension of the rules, and referred to the Committee on Penitentiary and Reform Schools.

REPORTS OF STANDING COMMITTEES.

(Continued.)

CLAIMS

Committee Room,  
March 2, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 50, of A. M. Musser, Fish Commissioner, for \$730, beg leave to report that we have had the same under consideration, and recommend that the sum of \$30 be appropriated in full for said claim for the item of express charges paid by him on 200 pounds of lake trout eggs from Michigan. We further recommend that the balance of said claim be not allowed, as the items therein charged for were fully covered by the appropriation made by the last Legislature.

SEARS,  
Chairman of Committee.

Received, and H. C. No. 50, with report, was referred to the Committee on Appropriations.

Committee Room,  
March 2, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 48, of Sidney Tanner for \$740 for the amount paid by him on the bond of Josiah Rogers, having duly examined and considered the same, recom-

mend that said claim be allowed, and that the sum of \$740 be appropriated in full for the same.

SEARS,  
Chairman of Committee.

Received, and H. C. No. 48 was referred to the Committee on Appropriations.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council passed H. B. No. 119, To Amend Section 3460 Compiled Laws of Utah—ayes, 11; absent, 1; also, H. B. No. 114—To Amend Part 1, Chapter V, Section 44, Code of Civil Procedure Relating to clerks, as amended by the Council—ayes, 9; noes, 3; and both bills are enclosed herewith.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 119 was sent to the Enrollment Committee. The Council amendments to H. B. 114 were concurred in, the Council notified and the bill sent to the Enrollment Committee.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that on February 19th the Council reconsidered its action of February 17th, in regard to H. B. No. 64—Relating to the Practice of Attorneys, etc., and that it this day amended, and, as amended, passed said bill—ayes, 7; noes, 4; absent, 1; and that it is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and, on motion of Mr. Varian, H. B. No. 64 was laid on the table.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. C. R. No. 11—Regarding the Printing of Certain Copies of the Names, etc., of Members and Officers of the Legislative Assembly, and the same is here with enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and, on motion of Mr. Varian, C. C. R. No. 11 was referred to the Committee on Printing.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has defeated H. B. No. 127—Relating to Telegraph and Telephone Companies, by striking out the enacting clause, on motion, and the same is respectfully returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 1, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has rejected H. B. No. 53—For the Redemption of Real Property, on motion—ayes, 7; noes, 5; and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

## THIRD READING OF BILLS.

C. B. No. 69, by President Breeden—To Regulate Assignments for the Benefit of Creditors.

Mr. Varian moved to make C. B. No. 60 and H. B. No. 105 the special order for Tuesday, March 6th.

Mr. Tolton moved to amend to postpone indefinitely.  
Carried.

H. B. No. 124, by Mr. Johnson—To Amend the Compiled Laws and Repeal Chapter XXIV, of the Session Laws, relating to Powers of Justices of the Peace.

On motion, the enacting clause was stricken out.

H. B. No. 159, by Mr. Sears—To Amend the Compiled Laws.

On motion of Mr. Varian, the enacting clause was stricken out.

H. B. No. 106, by Mr. Varian—A Bill to Amend Section 3654, of the Compiled Laws.

On motion of Mr. Varian, the enacting clause was stricken out

H. B. No. 145, by Mr. Warner (by request)—To Validate Certain Acts of Ogden City Council.

The bill was lost—20 to 2.

## ROLL CALL ON PASSAGE OF H. B. NO. 145.

Ayes—Stanford, Warner,—2.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Sears, Stoker, Tolton, Varian, Wines, Mr. Speaker—20.

Absent—Powers, Parsons,—2.

H. B. No. 113, by Mr. Tolton—A Bill for An Act Changing Certain Boundary Lines.

Bill lost—21 to 2.

## ROLL CALL ON PASSAGE OF H. B. NO. 113.

Ayes—Powers, Tolton,—2

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Sears, Stanford, Stoker, Varian, Warner, Wines, Mr. Speaker—21.

Absent—Parsons—1.

## SPECIAL ORDER.

2:30 p. m.

H. B. No. 140, by Mr. Stanford—To Regulate the Inspection and Sale of Oils for Illuminating Purposes.

Bill as amended passed, 23 to 0, and the title was approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 140.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23

Noes—0.

Absent—Parsons—1.

C. B. No. 91, by Mr. Williams—To Amend the Compiled Laws, Relating to Special Verdicts.

Bill lost, 21 to 1, and the Council notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 91.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Mr. Speaker—21.

Ayes—Wines—1.

Absent—Parsons, Pigman—2.

C. J. M. No. 5, by Mr. Eldredge—Relating to Poland Bill.

Memorial lost—22 to 0.

## ROLL CALL ON PASSAGE OF C. J. M. NO. 5.

Noes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Ayes—0.

Absent—Parsons, Pigman—2.

H. B. No. 122, by Mr. Powers—Relating to Issuance of Territorial Bonds.

Mr. Powers offered sundry amendments, which were adopted, and the bill as amended, was made the special order for Monday, March 5, at 3 o'clock.

## SPECIAL ORDER.

3 O'clock p. m.

H. B. No. 128, by Mr. Tolton—A Bill for An Act to Prevent Creating Deficits, etc.

Bill passed, 18 to 1, and the title was approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 128.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Sears, Stoker, Tolton, Warner, Wines, Mr. Speaker—18.

Noes—Varian—1.

Excused—Stanford—1.

Absent—Nebeker, Parsons, Pigman, Powers—4.

With the consent of the House, H. B. No. 24, by Mr. Allen—To Establish Free Employment Offices, etc., was taken up, and the Council amendments to the bill were concurred in.

The bill, as amended, was sent to the Enrollment Committee, and the Council was notified.

H. B. No. 156, by Mr. Stanford—To Amend the Compiled Laws, relating to Tax Sales.

Bill as amended passed, 22 to 1, and the title was approved.

## ROLL CALL ON PASSAGE OF H. B. NO. 156.

Ayes—Allen, Clark, Dougall, Hatch, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Noes—Hubbard—1.

Absent—Parsons—1.

H. B. No. 64, by Mr. Powers—Relating to the Practice of Certain Attorneys before the Courts of Utah.

The House concurred in the Council's second amendment; refused to concur in the first and third amendments, and the Council was notified.

Mr. Allen moved that when the House do adjourn it be until 1 o'clock p. m., Saturday.

Carried.

H. B. No. 134, by the Committee on Mines and Mining (Substitute for H. Bills Nos. 52 and 65)—Providing for the Location and Recording of Mining Claims, etc.

Mr. Allen moved to adjourn.

Motion lost.

Mr. Stoker was excused until Monday, March 5th.

At 4:50, Mr. Powers assumed the Chair, on the invitation of the Speaker, who was excused temporarily.

Mr. Allen moved to adjourn.

Motion lost.

After discussion, Mr. Allen again moved to adjourn.

Motion lost.

Mr. Hatch moved for a reconsideration of the vote on the adoption of a certain amendment.

Speaker Emery moved that no further amendments to H. B. No. 134 be entertained, and that the reading of the bill be proceeded with under a suspension of the rules.

Mr. Sears, at 5:05, moved to adjourn.

Motion lost.

The motion of Speaker Emery was lost.



The motion of Mr. Hatch was lost.

H. B. No. 134, as amended, passed—14 to 5.

ROLL CALL ON PASSAGE OF H. B. NO. 134.

Ayes—Hatch, Hubbard, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Stanford, Tolton, Warner, Wines—15.

Noes—Allen, Powers, Sears, Varian, Mr. Speaker—5.

Absent—Clark, Dougall, Ivins, Parsons, Stoker—5.

On motion of Mr. Warner, the House adjourned at 5:15 p. m.

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FIFTY-FIFTH DAY.

House of Representatives,  
Saturday, March 3, 1894.

House called to order at 1 p. m., Speaker Emery in the Chair.

Roll call—Quorum Present.

Prayer by the Chaplain.

Minutes of the fifty-fourth day read, corrected and approved.

Mr. Monson was excused for the day.

Mr. Allen moved that when the House do adjourn, it be until 7:30 p. m.

Carried.

PRESENTATION OF PETITIONS.

INVITATION FROM THE WORLD'S FAIR COMMISSION.

Salt Lake City,  
March 2, 1894.

A. B. Emery, Esq., Speaker of the House:

Dear Sir—I am directed by the Utah World's Fair

Commissioners to extend an invitation to the members and officials of the House of Representatives, and their wives, to attend an informal reception in honor of the Legislative Assembly, at the Commission rooms in the Dooly Block, on Tuesday Evening, March 6th, 1894, from 8 o'clock until 1 o'clock.

By order of the Commission,  
E. A. McDANIEL,  
Secretary.

On motion of Mr. Mason, the invitation was accepted with thanks.

COMMUNICATIONS FROM THE CITY COUNCIL.

Salt Lake City, Utah,  
March 1, 1894

C. E. Stanton, Esq., Clerk House of Representatives, Utah  
Legislature, City:

Dear Sir—The following is a copy of a resolution offered by Councilman Corum, in the City Council, February 27, 1894, and, on motion, duly seconded and carried, was adopted by the Council:

*Whereas*, There is pending in the Utah Legislature, a bill providing for the expenditure of \$125,000.00 on the construction of a wing of the Capitol Building.

*Resolved*, That it be declared the sense of the City Council that action will be taken to put the streets approaching the Capitol Grounds in good condition for travel as soon as active work is commenced on said Capitol Building.

Very respectfully,  
G. H. BACKMAN,  
City Recorder.

Received.

H. P. No. 84, by Mr. Hubbard—From Citizens of Box Elder County, asking the Passage of a Medical Law.  
Referred to the Committee on Public Health.

H. C. No. 71, by Mr. Stanford—Claim of Smythe, Britton & Poore Co., bill for printing, \$148.00.  
Referred to the Committee on Claims.

## REPORTS OF STANDING COMMITTEES.

## MUNICIPAL CORPORATIONS.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations having duly considered C. B. No. 42, beg leave to report as follows: That said bill, having passed both Houses of the Legislature and having been duly forwarded to his Excellency the Governor, for his official action, it has passed beyond the control of either House, and could not be recalled without the joint action of the two Houses; hence your committee most respectfully return said bill to the House, without recommendation. We would further respectfully submit that in the opinion of your Committee, it would be a dangerous precedent to recognize the right of any part, less than the whole, of the Legislative Assembly, to withdraw from the consideration of his Excellency, the Governor, any matter submitted to him by such Legislative Assembly.

Respectfully submitted,

JACOB JOHNSON,  
Chairman of Committee.

Received.

## JUDICIARY.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Judiciary to whom was referred C. B. No. 87, An Act Amending Subdivision 3, of Section 3877 of the Compiled Laws of Utah of 1888, Relating to Witnesses, and C. B. No. 89, An Act Amending Section 2277 and 2288 of the Compiled Laws of Utah, 1888, beg leave to report that they recommend that they do pass.

VARIAN,  
Chairman of Committee.

Received.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred C. B. No. 67, An Act to Protect Associations, Firms and Persons in Their Labels, Trade Marks and Forms of Advertising, beg leave to report the following amendments:

First—In line 6, Section 4, strike out the word “shall” and insert the word “may” in lieu thereof.

Second—In line 5, Section 5, strike out all after the word “misdemeanor,” all of lines 6, 7 and to and including the word “both.”

Third—In line 8, Section 5, strike out the words “and prosecutions.”

Fourth—Strike out all of Section 6 after the word “misdemeanor” in line 4, and recommend that it do pass as amended.

VARIAN.

Chairman of Committee.

Received.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred C. B. No. 51 (Substitute,) A Bill to Provide for Organizing and Regulating the Business of Life, Accident or Casualty Insurance Corporations, etc., having duly considered the same, beg leave to report the following amendments:

First—Amend Section 13, line 4, by striking out “twenty-five dollars” and inserting in lieu thereof “one-hundred dollars,” which shall be covered into the Territorial Treasury by said Secretary.”

Second—Amend Section 15, line 2, by adding after the word “dollars” which amount shall be covered into the Territorial Treasury by said Secretary, and recommend that it do pass as amended.

VARIAN,

Chairman of Committee.

Received.

## MANUFACTURES AND COMMERCE.

## MAJORITY REPORT.

Committee Room,  
March 3, 1894.

Mr. Speaker:

A majority of your Committee on Manufactures and Commerce, having duly considered H. B. No. 147—Relating to Exemption from Taxation of Certain Manufacturing Institutions, beg leave to report the same with the recommendation that it do not pass.

VARIAN,  
Chairman of Committee.

Received.

## MINORITY REPORT.

As a minority of your Committee on Manufactures and Commerce, we beg leave to dissent from the views of the majority on H. B. No. 147. We believe that, if said bill becomes a law, it would encourage the locating in our Territory, institutions for the manufacturing of at least some of the articles mentioned. Wherever such institutions are located it very materially enhances the taxable value of property in that vicinity, brings capital to our Territory, furnishes employment to idle persons, who build homes and otherwise makes prosperous all branches of industry; therefore, we recommend that the bill, as amended, do pass.

WARNER,  
WINES,

Minority Report, Committee on Manufactures and Commerce.

Received.

## AGRICULTURE AND IRRIGATION.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to

whom was referred H. B. No. 15, by Mr. Johnson—A Bill Creating the Office of Watermaster and Prescribing his duties, etc., beg leave to report that we have had the same under consideration, and recommend that the bill do not pass.

CLARK,  
Chairman of Committee.

Received.

CAPITOL GROUNDS—MAJORITY REPORT.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Capitol Grounds, to whom was referred H. J. R. No. 8, by Mr. Hatch—Relating to the abandonment of the Capitol Grounds, beg leave to report adversely on said resolution, and ask that the same be laid on the table indefinitely.

STANFORD,  
Chairman of Committee.

Mr. McBride dissenting.

Received.

MINORITY REPORT.

Committee Room,  
March 3, 1894.

Mr. Speaker:

A minority of your Committee on Capitol Grounds, to whom was referred H. J. R. No. 8, by Mr. Hatch, beg leave to report as follows:

After visiting the grounds referred to in said resolution have concluded: First, that it is not a proper place or location for a Capitol building. Second, that your committee is informed that the title to said grounds is not vested in fee in the Territory of Utah, and we object to making any appropriation, or the expending of any money on any ground where the title is not vested in fee in the Territory. Therefore, we recommend the adoption of the resolution.

MCBRIDE.

Received.

## CLAIMS.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 35, of Sevier County, of \$614.00, beg leave to report as follows:

We recommend that the sum of \$500.00 be appropriated to Sevier County, for maps and plats furnished the County Assessor of said County for the use of said Assessor. We further recommend that the balance of said claim, of \$114 05, be referred back, as the duties of the Auditor of Public Accounts are clearly laid down and defined in Section 2117 of the Compiled Laws of Utah, of 1888, in reference to such claims.

SEARS,  
Chairman of Committee.

Received.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 14, of Vincent Shurtliff, of \$12.30, for certificates, etc., beg leave to report that we have had the same under consideration and recommend that said claim lie upon the table, as it is covered by H. B. No. 130.

SEARS,  
Chairman of Committee.

Received.

## MEMORIALS.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Memorials, having duly considered C. J. M. No. 6—Relating to the Woman's Industrial Home, beg leave to report as follows:

We propose the following amendments thereto:



First—In line 12 strike out “failed of” and insert “served” in lieu thereof.

Second—In line 18 strike out the words “women of the.”

We recommend that the memorial, as thus amended, do pass.

ALLEN,  
Chairman of Committee.

Received.

#### CONSIDERATION OF REPORTS OF COMMITTEES.

H. Claim No. 35 was referred to the Committee on Appropriations.

H. Claim No. 70, on request of the Chairman of the Committee on Claims, was referred to the Committee on Printing.

On motion, H. C. No. 14 was returned to Mr. Allen, who presented the same.

The amendments to C. J. M. No. 6, by the Committee on Memorials, were adopted, and the memorial was filed for third reading.

On motion of Mr. Varian, a copy of the report of the Committee on Municipal Corporations, in reference to C. B. No. 42, was sent to the Council.

C. Bills Nos. 87 and 89 were filed for third reading.

The amendments of the Committee on Judiciary to C. B. No. 67 were adopted, and the bill, as amended, was filed for third reading.

The amendments of the Committee on Judiciary to C. B. No. 51 were adopted, and the bill was filed for third reading.

On motion, H. B. No. 147 was made the special order for Tuesday, March 6th, at 3 o'clock.

On motion of Mr. Stanford, H. J. R. No. 8 was laid on the table with the majority and minority reports of the Committee on Capitol Grounds.

Messrs. Hubbard and Clark were excused until Monday, March 5th.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 2, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council passed H. B. No. 93—For the Encouragement of Silk Production, etc., as received from the House—ayes, 7; noes, 5; and is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 93 was sent to the Committee on Enrollment.

THIRD READING OF BILLS.

H. B. No. 150 (a Substitute for H. Bills Nos. 61, 81 and 129)—To Regulate the Practice of Medicine.

Before final disposition, at 3:10 p. m., Mr. Varian moved to adjourn until Monday, at 10 a. m.

Carried.

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FIFTY-SEVENTH DAY.

MORNING SESSION.

House of Representatives,  
Monday, March 5, 1894.

House called to order at 10 a. m., Speaker Emery in the Chair.

Roll call—Quorum present.

Prayer by Chaplain.

Minutes of the fifty-fifth day read and approved.

Mr. Varian moved to proceed at once with the third

reading of bills, and first consider the House bills on the file.

Carried.

### THIRD READING OF BILLS.

H. B. No. 150, by the Committee on Public Health, (Substitute for H. Bills Nos. 61, 81 and 129)—To Regulate the Practice of Medicine.

Bill, as amended passed, 20 to 0, and the title was approved.

### ROLL CALL ON PASSAGE OF H. B. NO. 150.

Ayes—Allen, Clark, Dougall, Hatch, Ivins, Johnson, Mason, McBride, McKay, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Wines—20,  
Noes—0.

Absent—Hubbard, Monson, Warner—3.

Not voting—Mr. Speaker—1.

H. B. No. 161, by the Committee on Judiciary—Amending Compiled Laws, Relating to Corporations.

Bill, as amended passed, 23 to 0, and title approved.

### ROLL CALL ON PASSAGE OF H. B. NO. 161

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—23

Noes—0.

Absent—Monson—1.

H. B. No. 157, by Mr. Ivins—A Bill for An Act to Amend Chapter LVI Session Laws, Relating to District Courts.

Bill passed, 24 to 0, and title approved.

### ROLL CALL ON PASSAGE OF H. B. NO. 157.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Neb-

eker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

H. B. No. 125, by Mr. Nebeker—A Bill for An Act to Prevent the Exposure for Sale of Diseased Meats, etc.

Bill as amended, passed, 22 to 1, and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 125.

Ayes—Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—22.

Noes—Sears—1.

Not voting—Allen—1.

H. B. No. 15, by Mr. Johnson—A Bill for An Act Creating the Office of Watermaster, etc.

Mr. Wines moved to strike out the enacting clause.  
Carried.

Mr. Tolton assumed the chair on the invitation of the speaker, who was excused temporarily.

Speaker Emery resumed the chair.

H. J. R. No. 11, by Mr. Allen—Authorizing the Appointment of a Commission to Investigate the Systems of Records and Land Transfers.

Resolution passed—24 to 0.

#### ROLL CALL ON PASSAGE OF H. J. R. NO. 11.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

H. B. No. 162, by the Committee on Live Stock, Substitute for H. B. No. 67—To prevent Scab, etc.

Mr. Mason moved to take a recess.  
Motion lost.

At 12:10 Mr. Mason again moved to take a recess.  
Carried.

## AFTERNOON SESSION.

House reconvened at 2 p. m.  
Speaker Emery in the chair.  
Roll-call—Quorum present.

Mr. Johnson assumed the Chair, on the invitation of the Speaker.

## REPORTS OF STANDING COMMITTEES.

## CLAIMS.

Committee Room,  
March 5, 1894.

r. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 71 of Smythe, Britton & Poore Co. for \$148 00, having had the same under consideration, find that there are only 391 pages in the index specified, instead of 400 hundred pages, and we therefor recommend that the sum of \$126.67 be appropriated in full for said claim.

SEARS,  
Chairman of Committee,  
Received, and H. C. No. 71, was referred to the Committee on Appropriations.

Committee Room,  
March 5, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 42, of Thomas Williams, Collector of Tooele County, for uncollectible Territorial taxes for the years 1891 and 1892, beg leave to report that we have had the same under consideration and recommend that the sum of \$259.85 be allowed Thomas Williams for uncollectible Territorial taxes assessed during the years 1891 and 1892 in Tooele Counties.

SEARS,  
Chairman of Committee.

Received, and H. C. No. 42 was referred to the Committee on Appropriations.

Committee Room,  
March 5, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 18, of H. Dinwoody, for \$1463.73 for book cases, rugs, etc., furnished the Territorial Library, beg leave to report that we have had the same under consideration, and recommend that said claim be referred to the Appropriation Committee, and that the Board of Control of said Library pay this claim out of the amount that may be appropriated by said Appropriation Committee to the Territorial Library for 1894 and 1895.

SEARS,  
Chairman of Committee.

Received.

On motion the report was adopted.

Committee Room,  
March 5, 1894.

Mr Speaker:

Your Committee on Claims and Public Accounts, to whom was referred H. C. No. 52, of Geo. D. Barnard & Co., for \$1555.75, beg leave to report that we have duly considered the same, and the said claimants have allowed a discount upon said bill of ten per cent. (see discount sheet attached hereto). We recommend that said claim, less the discount of ten per cent., making \$1400.18, be allowed and the amount appropriated.

SEARS,  
Chairman of Committee.

Received, and H. C. No. 52 was referred to Committee on Appropriations.

## CAPITOL GROUNDS.

## MAJORITY REPORT.

Committee Room,  
March 5, 1894.

Mr. Speaker:

Your Committee, to whom was referred the report of the Commissioners on Capitol Grounds, respectfully represent that they have examined and approved said report, and recommend that the amount required for the completion of the improvements, as originally surveyed and platted, relating to said grounds, be appropriated. Also the amount of five thousand dollars for the caring for and keeping of said grounds in proper condition the ensuing two years, and that said Commissioners' report be filed in the office of the Territorial Auditor.

Your Committee have also taken under advisement the recommendation of said Commissioners, in connection with that part of the Governor's Message dated January 8, 1894, likewise the special message of Governor West dated March 1, 1894, relating to the erection of one wing of a Capitol building, and respectfully report that the reasons assigned for the erection of such portion of a Capitol building, which will afford ample provision for all legislative, judicial and general business purposes, meets with our approval, as in the erection of such a building the needs of the Territory or State will be provided for, in this direction, for many years to come.

By the erection of this building, at an estimated cost of one hundred and twenty-five thousand dollars, which amount can be obtained by issuing bonds at five per cent. interest, it is evident by representations in figures made to your Committee by the Secretary and Governor, on cost of rent for halls, office rooms, etc., that the advantages in building over that of renting, would not only pay the interest on the bonds, but be a net saving to the Territory annually of from three to four thousand dollars. And, as suggested in the Message of Governor West, the erection of this building at the present time, would give work to a large number of the unemployed working class, a subject worthy of the most earnest consideration of this Legisla-



tive Assembly, under existing distress and want, among so large a number of this class of citizens. Your Committee are also of the opinion that all kinds of material and labor can be obtained at greatly reduced prices at the present time, so that a saving of at least twenty per cent. in the cost of such a building can be saved to the Territory. We therefore recommend the issuing of bonds and the erection of one wing of a Capitol building.

STANFORD,  
STOKER,  
MASON,  
POWERS.

McBride, dissenting.

Received.

MINORITY REPORT.

Committee Room,  
March 5, 1894.

Mr. Speaker:

A minority of your Committee on Capitol Grounds, to whom was referred the report of the Commission on Capitol Grounds, beg leave to dissent from the views of the majority, in so far as it refers to the appropriation of \$125,000 for the erection of one wing of a Capitol Building.

MCBRIDE,  
Member of the Committee.

Received, and the majority and minority reports were filed to be considered with the bill in relation thereto—H. B. No. 122.

Committee Room,  
March 5, 1894.

Mr. Speaker:

Your Committee on Public Printing, having duly considered C. C. R. No. 11, beg leave to report as follows: We recommend that the House do not concur, as we think this extra work unnecessary.

PARSONS,  
Chairman of Committee.

Received.

The House refused to concur in the C. C. R. No. 11, and Council notified.

The House consenting, Speaker Emery presented at this time H. B. No. 164—Prescribing Rules Governing the Care of Public Moneys.

Bill read first and second times, by title, under suspension of the rules, and, without printing, was referred to the Committee on Judiciary.

On motion of Mr. Varian, the House proceeded with the consideration of H. B. No. 162, by the Committee on Live Stock (Substitute for H. B. No. 67)—A Bill for An Act to Prevent Scab, etc.

SPECIAL ORDER.

2:30 p. m.

Having arrived, Mr. Varian moved to postpone the same.

Carried.

H. B. 162 was read the third time amended and passed—23 to 0—and title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 162.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines—23.

Noes—0.

Abent—Speaker Emery—1.

SPECIAL ORDER.

H. B. No. 155, by Mr. Varian.

On motion of Mr. Varian, the bill was made the special order for Tuesday, at 2:30 p. m.

The House consenting, Mr. Allen presented the following: H. B. No. 165, by the Committee on Education—Relating to Tuition Fees, etc.

Bill read first time at length, second time by title, under a suspension of the rules, ordered printed, and placed on file for third reading.

## THIRD READING OF BILLS.

C. B. No. 67, by the Council Judiciary Committee—To Protect Associations and Firms, etc., in their Forms of Advertising, etc.

Bill, as amended, passed, 22 to 0, and Council notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 67.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines, Speaker Johuson—22.

Noes—0.

Excused—Sears—1.

Absent—Speaker Emery—1.

C. B. No. 95, by Councilor Hague—A Bill for An Act to Amend the Compiled Laws Relating to Cruelty to Animals, etc.

Bill passed, 17 to 6, and the Council was notified.

## ROLL CALL ON PASSAGE OF C. B. NO 95.

Ayes—Hatch, Hubbard, Ivins, Johnson, Mason, McBride, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stanford, Stoker, Varian, Warner, Wines—17.

Noes—Allen, Clark, Dougall, McKay, Sears, Tolton—6.

Absent—Speaker Emery—1.

## SPECIAL ORDER.

3 p. m.

H. B. No. 122.

On motion of Mr. Powers, the bill was made the special order for Wednesday, March 7th, at 3 p. m.

C. B. No. 98, by Councilor John E. Booth—Authorizing the Auditor and Treasurer to Appoint Deputies, etc.

Mr. Ivins moved to strike out the enacting clause.

Carried, and Council notified.

C. B. No. 64, by Councilor John E. Booth—Relating to Revenue and Board of Equalization.

On motion of Mr. Sears, the bill was recommitted to the Committee on Ways and Means.

The House consenting, the following communication was here read:

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council requests the return of H. B. No. 101, for the purpose of correcting an error discovered in writing an amendment thereto.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 101 was returned to the Council.

C. B. No. 76, by Councilor Hague—A Bill for An Act to Abolish the Office of Collectors in Cities of the Third Class.

Bill passed, 21 to 0, and the Council was notified.

ROLL CALL ON PASSAGE OF C. B. NO. 76.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Speaker Johnson—21.

Noes—0.

Absent—Speaker Emery, Nebeker, Parsons—3.

C. B. No. 88, by Councilor Lund—A Bill for An Act Regulating the Sale of Intoxicating Liquors.

Bill, as amended, passed, 18 to 2, and the Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 88.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins,

Mason, McBride, McKay, Monson, Moore, Pigman, Sears, Stanford, Stoker, Varian, Wines, Speaker Johnson—18.

Noes—Powers, Tolton—2.

Absent—Speaker Emery, Nebeker, Parsons, Warner—4.

C. B. No. 103, by the Committee on Agriculture (Substitute for C. B. No. 15)—An Act Authorizing the Appointment of Fruit Tree Inspectors, etc.

The bill, as amended, passed, 18 to 4, and the Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 103

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Varian, Warner, Wines, Speaker Johnson—18.

Noes—Powers, Sears, Stoker, Tolton—4.

Absent—Speaker Emery, Stanford—2.

#### INVITATION FROM THE CHORAL SOCIETY.

Salt Lake City,  
March 5, 1894.

Speaker Emery and Members of the House of Representatives, Utah Legislature:

Gentlemen—You are hereby respectfully invited to attend the concert, "A Night with the German Masters," given under the auspices of the Salt Lake Choral Society, at the First Congregational Church, to-morrow evening.

GEORGE C. YOUNG, President.

EVAN STEPHENS, Director.

E. H. PIERCE, Secretary.

Invitation received with thanks.

C. B. No. 87, by Councilor H. E. Booth—A Bill to Amend the Compiled Laws, relating to Witnesses.

Bill passed, 16 to 5, and the Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 87.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins,

Mason, McBride, McKay, Monson, Parsons, Pigman, Varian, Warner, Wines, Speaker Johnson—16.

Noes—Nebeker, Powers, Sears, Stoker, Tolton—5.

Absent—Speaker Emery, Moore, Stanford—3.

C. B. No. 89, by Councilor Williams—Relating to Meetings of Stockholders.

Bill passed, 22 to 0, and the Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 89.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stoker, Tolton, Varian, Warner, Wines, Speaker, Johnson—22.

Noes—0.

Absent—Speaker Emery, Stanford—2.

C. B. No. 51, by the Committee on Private Corporations (Substitute)—A Bill for An Act to Provide for Organizing and Regulating the Business of certain Insurance Corporations, etc.

Bill lost, 10 to 9, and Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 51.

Ayes—Allen, Ivins, Mason, McBride, Monson, Parsons, Varian, Wines, Speaker Johnson—9.

Noes—Clark, Dougall, Hatch, Hubbard, McKay, Moore, Nebeker, Powers, Stoker, Tolton—10.

Mr. Powers gave notice that he would move for a reconsideration of the vote on C. B. No. 51.

#### COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 5, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I herewith return An Act Amending Section 2008 of the Compiled Laws of 1888, as amended in the Session

Laws of 1890, Chapter XL, relating to Revenue, without my approval. I respectfully suggest that the exercise of the important taxing power proposed to be conferred should be limited to specified purposes named in the act. With proper amendments made in this respect, I will be pleased to approve the measure.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Mr. Varian moved that when the House do adjourn, it be until 2 p. m. Tuesday.

Carried.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 3, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has approved, signed and filed in the office of the Territorial Secretary, C. B. No. 85—An Act Providing for the Location of County Seats and Election of County Officers in New Counties; also C. J. R. No. 1—A Resolution Directing the Auditor to Make Certain Endorsements on Warrants Issued to the Utah World's Fair Commission.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 3, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 82—Authorizing the Awarding of Diplomas, etc.—ayes, 10; noes, 2; and that it is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.



Received, and on motion C. B. No. 82, by Mr. John E. Booth—Relating to Awarding Diplomas and Certificates, was read the first and second times by title, under a suspension of the rules, and referred to the Committee on Education.

Council Chamber,  
March 2, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council amended H. B. No. 99—For the Encouragement of the Production of Sugar, etc., by attaching thereto additional Sections, numbered from 5 to 9 inclusive; ayes, 7; noes, 5; and the same is herewith returned with the amendments attached; also H. J. M. No. 5—Relating to the Protective Duty on Wool; ayes, 7; noes, 5; which is enclosed.

H. J. M. No. 5, sent to Enrollment.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 99 was referred to the Committee on Manufactures and Commerce.

Council Chamber,  
March 3, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that C. B. No. 96—Relating to Liens of Judgments, etc., was amended and passed by the Council—ayes, 10; absent, 2; and is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and on motion, C. B. No. 96, was read first and second times by title, under a suspension of the rules, and referred to the Committee on Judiciary.

Council Chamber,  
March 3, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council adheres to all the amendments it has made to H.

B. No. 64 on its passage, and that the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

On motion of Mr. Varian, a Committee of Conference was appointed, consisting of Messrs. Powers and Varian, to meet a committee from the Council, in reference to H. B. No. 64.

Council Chamber,  
March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has returned, without his approval C. B. No. 42, Relating to Rules and Regulations under Town-site Act, as per his communication to the Council herein enclosed. The Council, following the suggestions of His Excellency, amended the bill by striking out the words "the Probate Court" in line 13, Section 2827b, and inserting in lieu thereof, the words, "A Court of Competent jurisdiction," and then passed the same—ayes, 11; absent, 1; and it is herewith transmitted for your further consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

The Council amendments were concurred in and the Council was notified.

Mr. Nebeker moved to suspend all the rules conflicting, and adopt certain amendments to H. B. No. 55, as suggested by His Excellency, the Governor.

Carried.

The amendments were adopted.

On motion of Mr. Varian, H. B. No. 55, as amended, was read the first, second and third times, under a suspension of the rules, and passed, 23 to 0.

ROLL CALL ON PASSAGE OF H. B. NO. 55.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins,

Johnson, Mason, McBride, McKay, Monson, Moore, Nebe-  
ker, Parsons, Pigman, Powers, Sears, Stanford, Stoker,  
Tolton, Varian, Warner, Wines—23.

Noes—0.

Absent—Mr. Speaker—1.

Council Chamber,  
March 3, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has amended H. B. No. 101 (Substitute for H. B. No. 89)—To Appoint a Board of Police and Fire Commissioners upon a Non-partisan Basis, by interlineation in the title and striking out certain words; also interlining in Section 1, line 11, and adding to line 12. In Section 3, striking out line 3, and substituting another therefor. In Section 4, line 2, striking out certain words, and interlining in line 3. In Section 5, line 3, by interlineation. In Section 7, line 3, by interlineation; also in Section 8, line 2, and in Section 12, line 2, and in Section 17, line 4, by interlineation. By striking out in Section 18, lines 1, 2 and 3, up to the word "all." In line 1, Section 20, by inserting certain words, and in line 2 by interlineation. In Section 28, line 2, by interlineation. In Section 29, by striking out and inserting words in lines 5, 6, 7 and 8, and passed the same as amended—ayes, 9; noes, 3.

Your attention is respectfully directed to the authenticating requirements of H. C. R. No. 2—Regarding House Amendments to Validate which, Purple Ink, seems essential, and to the fact that this sanctified sign of integrity, is lacking in part, in the House amendments to H. B. No. 101, herewith returned for your consideration.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

On motion, H. B. No. 101, as amended by Council, was ordered printed, through the Public Printer, by the Committee on Printing.

Council Chamber,  
March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. B. No. 101, as corrected in the amendments, is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion of Mr. Varian, the House adjourned at  
5:40 p. m.  
Carried.

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## FIFTY-EIGHTH DAY.

House of Representatives,  
Tuesday, March 6, 1894.

House called to order at 2 p. m., Speaker Johnson in the Chair.

Roll call—Quorum present.

Prayer by Chaplain..

Mr. Johnson announced that Speaker Emery was absent, through illness, and called for the appointment of a Speaker pro tem.

On motion of Mr. Stoker, Mr. Johnson was elected Speaker pro tem. by a unanimous vote.

Minutes of the fifty-seventh day were read, corrected and approved.

### REPORTS OF STANDING COMMITTEES.

#### PENITENTIARY AND REFORM SCHOOL.

Committee Room,  
March 6, 1894.

Mr. Speaker:

Your Committee on Penitentiary and Reform School,

having duly considered H. J. R. No. 13, beg leave to report as follows: We herewith offer a substitute for said resolution in form of a bill and embodying the same provisions expressed in the resolution, and therefore recommend that the substitute bill do pass.

WARNER,  
Chairman of Committee.

Received.

ENROLLMENT.

Committee Room,  
March 3, 1894.

Mr. Speaker:

Your Committee on Enrollment to whom was referred H. B. No. 24—An Act Relating to Free Employment offices also H. B. No. 93—An Act Relating to Bounties for the Encouragement of Silk Culture, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

On motion of Mr. Varian, H. B. No. 166, by the Committee on Penitentiary and Reform School (Substitute for H. J. R. No. 13)—Relating to Military Academy, etc., was read first and second times by title, under a suspension of the rules, ordered printed and filed for third reading.

H. J. R. No. 13 was laid on the table.

Committee Room,  
March 5, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 114—An Act Relating to Justices of the Peace in Cities; also, H. B. No. 119—An Act Relating to Division of Attorneys' Fees, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House

and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

#### CONTINGENT EXPENSES.

Committee Room,  
March 5, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having duly considered the following account, find it to be correct, and recommend that it be allowed:

Arthur Stayner, expert accountant, .....\$45.00

McBRIDE,  
Chairman of Committee.

Received, and report adopted.

Committee Room,  
March 5, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having duly examined the following accounts, find them to be correct, and recommend that they be allowed:

Utah Book and Stationery Co.....	\$ 1 15
Utah Book and Stationery Co.....	19 13
Star Printing Co. ....	5 00
The Pacific Lumber Co.....	7 00
A. H. Nash, Postmaster.....	5 50

---

Total.....\$37 78

McBRIDE,  
Chairman of Committee.

Received, and report adopted.

Committee Room,  
March 6, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having duly

considered H. B. No. 123, An Act to Provide for the Payment of Additional Contingent Expenses of the Thirty-first Legislative Assembly of the Territory of Utah, beg leave to report that they recommend that it do pass.

McBRIDE,

Chairman of Committee.

Received, and H. B. No. 123 was filed for third reading.

PRINTING.

Committee Room,

March 6, 1894.

Mr. Speaker:

Your Committee on Public Printing, to whom was referred H. C. No. 62, of the Star Printing Company, for \$47.20, and H. C. No. 70, same firm, for \$44.40, beg leave to report that we recommend that H. C. No. 70 be referred to the Committee on Contingent Expenses, for approval, and that H. C. No. 62 be rejected, for the reason that the claim is a duplicate of H. C. No. 70.

PARSONS,

Chairman of Committee.

Received, and report adopted.

MANUFACTURES AND COMMERCE.

Committee Room,

March 6, 1894.

Mr Speaker:

Your Committee on Manufactures and Commerce, having duly considered H. B. No. 99 (Substitute for H. B. No. 47)—Entitled An Act for the Encouragement of the Production of the Sugar Beet and Paying Bounties Therefor, beg leave to report that they recommend that the House concur in the Council amendments thereto, and that the bill do pass.

VARIAN,

Chairman of Committee.

Received, and, on motion of Mr. Varian, the Council



amendments were concurred in, 15 to 8, and the bill was filed for third reading.

ROLL CALL ON ADOPTION OF COUNCIL AMENDMENTS  
TO H. B. NO. 99.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines—15.

Noes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Stoker, Tolton—8.

SPECIAL ORDER.

2:30 p. m.

On motion, the special order was postponed.

JUDICIARY.

Committee Room,  
March 6, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered C. B. No. 96, entitled—A Bill for An Act Amending Sections 3414. 3417 and 3605, Compiled Laws of Utah, etc., beg leave to report as follows: This bill embodies similar provisions to those contained in a House bill heretofore lost in the House. We think this bill should not pass for the same reasons which served to defeat the House bill.

VARIAN,  
JOHNSON,  
ALLEN,  
NEBEKER,  
IVINS.

Received.

On motion of Mr. Varian, the consideration of C. B. No. 96 was indefinitely postponed. Council notified.

Committee Room,  
March 6, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 164, entitled A Bill for An Act Prescribing Regulations for the Deposit of Public Moneys, etc., beg leave to report as follows:

The undersigned members of the Committee recommend that it do not pass.

VARIAN,  
JOHNSON,  
ALLEN,  
IVINS.

I recommend that it do pass.

. NEBEKER.

Received, and the report, with H. B. No. 164, were filed for third reading.

#### WAYS AND MEANS.

Committee Room,  
March 6, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred C. B. No. 64—An Act in Relation to Revenue, and Further Defining the Duties of County Courts and of the Territorial Board of Equalization, having duly considered the same, beg leave to report the following amendment: In line 1, Section 8, strike out the words, "and sleeping," and insert in the same line, after the word "cars" the following: "of every class and kind," and recommend that it do pass as amended.

STANFORD,  
Chairman of Committee.

Received.

The amendment was adopted and the bill was filed for third reading.

## AGRICULTURE AND IRRIGATION.

Committee Room,  
March 6, 1894.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred C. B. No. 100—A Bill for An Act Providing for the Dissolution of Irrigation Companies, beg leave to report that we have considered the same and recommend that the substitute do pass.

CLARK,  
Chairman of Committee.

Received, and the C. B. Substitute was filed for third reading.

## MOTIONS AND RESOLUTIONS.

Mr. Powers moved to reconsider the vote on C. B. No. 51.

Motion lost.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day receded from its amendments, non-concurred in by the House, to H. B. No. 97—In Relation to the Organization of Towns, and that the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 97 was returned to the Council with the request to correct certain errors therein.

Council Chamber,  
March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the

Council has amended, and as amended, passed H. B. No. 110—To Provide for the Organization of a Territorial Militia—ayes, 11; noes, 1. It has also appointed Councilors H. E. Booth and Williams to confer as to H. B. No. 64, and Councilors H. E. Booth and Adams as to C. B. No. 67. H. B. No. 110 is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

After discussion, the House having concurred in sundry amendments, and rejoycted others, the bill was returned to the Council, with the notification of the action of the House.

Council Chamber,

March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council concurs in the House amendments to H. B. No. 55—Relating to Revenue, made subsequent to its passage by the Council; also concurred in the House amendments to C. B. No. 88 and C. B. No. 103.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and H. B. No. 55 was sent to the Enrollment Committee.

Council Chamber,

March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. J. R. No. 10—Offering a Site for the Brigham Young Monument—ayes, 11; absent, 1; and it is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and H. J. R. No. 10 was sent to the Committee on Enrollment.

Council Chamber,

March 5, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 108—To Amend Chapter XXXI, Session Laws of 1892, and certain Sections of the Compiled Laws, 1888—ayes, 11; absent, 1; as amended, and it is herewith enclosed.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

On motion of Mr. Varian, C. B. No. 108, by Mr. H. E. Booth—Amending the Session Laws and Compiled Laws, relating to the Duties of Collectors, was read by title the first and second times, under a suspension of the rules, and referred to the Committee on Judiciary.

Council Chamber,

March 9, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has approved and filed with the Secretary of the Territory, C. B. No. 42—An Act Extending the Time for Complying with the Provisions of Chapter V, of Title 2, Volume 2, of the Compiled Laws of Utah, 1888, entitled Rules and Regulations under Townsite Act; and that the Council has passed, under a suspension of its rules, H. J. R. No. 11—ayes, 10; noes, 0; absent, 2; and that it is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and H. J. R. No. 11 was referred to the Enrollment Committee.

## COMMUNICATION FROM THE AUDITOR.

TERRITORY OF UTAH,  
Auditor's Office,  
Salt Lake City,  
March 5, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Dear Sir—In accordance with the provisions of Section 96, Volume 1, of the Compiled Laws of Utah, page 276, I have the honor to forward herewith financial statements for the year ending December 31, 1893, of the following counties, viz: Beaver, Box Elder, Cache, Davis, Garfield, Iron, Juab, Morgan, Rich, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele. Uintah, Utah, Wasatch and Washington. Also, financial statements for the year 1892 of the counties of Sevier, Summit and Tooele, which have been filed in this office since my last report.

Very respectfully,

JOHN T. CAINE,  
Auditor of Public Accounts.

Received, and the reports referred to the Committee on Claims.

The House consenting, Mr. Ivins presented the following resolution:

*Resolved*, That, for the remainder of the session, the operation of Rule 26 is suspended, and that no reconsideration of the vote by which any bill or joint resolution is passed or lost, shall be had without unanimous consent.

Adopted.

## SPECIAL ORDER.

H. B. No. 155.

On motion of Mr. Varian, the bill was made the special order for Wednesday, March 7th, at 2:30 p. m.

## SPECIAL ORDER.

3:30 p. m.

H. B. No. 147, by Mr. Sears—To Encourage certain Manufacturing Institutions.

## ROLL CALL ON PASSAGE OF H. B. No. 147.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Powers, Sears, Stanford, Warner, Wines—14.

Noes—Hubbard, Ivins, Monson, Moore, Nebeker, Pigman, Stoker, Tolton, Varian—9.

Absent—Speaker Emery—1.

## SPECIAL ORDER.

4 p. m.

H. B. No. 101, by the Committee on Municipal Corporations, (Substitute for H. B. No. 89)—To Appoint a Board of Police and Fire Commissioners.

All except the second Council amendment were concurred in and the Council was notified.

Mr. Stanford moved that when the House do adjourn, it be until 10 o'clock a. m., and that, in future, for the remainder of the session, the House convene at that hour.

Carried.

The House consenting, Mr. Varian offered the following invitation:

SALT LAKE CITY,  
March 6, 1894.

To the Honorable Members of the Legislature, Territory of Utah:

GREETING—By direction of the Laboring Men's Association of Salt Lake City, we hereby extend to you a cordial invitation to meet with us in our mass meeting, to be held in the Walker Pavilion, Wednesday evening, March 7, at 7 p. m. We hope to welcome you as a body. We have the honor to subscribe ourselves.

Your humble servants,

H. E. CARTER,

Chairman.

J. B. RAWLINGS,  
Secretary.

Received.



H. P. No. 85, by Mr. Varian—Petition of Jos. P. Bache that salary of Librarian be \$1000.00 per year.

Referred to Committee on Appropriations.

THIRD READING OF BILLS.

H. B. No. 123, by Mr. McBride—To provide for the Payment of Additional Contingent Expenses, etc.

Bill passed, 17 to 5, and title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 123.

Ayes—Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Stanford, Tolton, Warner, Wines—17.

Noes—Allen, Sears, Stoker, Varian, Speaker Johnson—5.

Absent—Speaker Emery, Powers—2.

C. B. Substitute for H. B. No. 100—To Amend the Compiled Laws, to Provide for the Dissolution of Irrigation Companies.

Bill passed, 20 to 1, and the Council was notified.

ROLL CALL ON PASSAGE OF SUBSTITUTE FOR H. B. NO. 100.

Ayes—Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Warner, Wines, Speaker Johnson—20.

Noes—Allen—1.

Absent—Speaker Emery, Varian—2.

Excused—Tolton—1.

C. B. No. 38, by Mr. John E. Booth—To Amend the Laws Relating to the Revocation of Liquor Licenses.

Bill lost, 12 to 6.

ROLL CALL ON PASSAGE OF C. B. NO. 38.

Ayes—Dougall, Mason, McBride, Sears, Stanford, Tolton—6.

Noes—Clark, Hatch, Hubbard, Ivins, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stoker—12.

Excused—Allen, Varian, Warner, Wines—4.  
Not voting—Speaker Johnson—1.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 6, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council recedes from its amendment in line 11, Section 1, "by the Mayor or Council" in H. B. No. 101, as described in your communication of this date, and the bill is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 101 was sent to the Enrollment Committee.

C. J. M. No. 6, by Mr. Eldredge—Relating to Women's Industrial Home.

Memorial passed, 17 to 4, and the Council notified.

## ROLL CALL ON PASSAGE OF C. J. M. NO. 6.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Mason, McBride, McKay, Monson, Moore, Pigman, Sears, Stanford, Varian, Warner, Wines, Speaker Johnson—17.

Noes—Ivins, Parsons, Powers, Stoker—4.

Absent—Nebeker, Tolton, Speaker Emery—3.

## REPORTS OF STANDING COMMITTEES.

## ENROLLMENT.

Committee Room,  
March 6, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 5—Relating to Tariff on Wool, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council,

and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

C. J. M. No. 4, by President Breeden—Asking an Extension of Time in which to Reclaim Desert Lands.

Memorial passed—21 to 1.

ROLL CALL ON PASSAGE OF C. J. M. NO. 4

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Speaker Johnson—22.

Noes—0.

Absent—Powers, Speaker Emery—2.

Mr. Stanford moved to adjourn.

Motion lost.

C. B. No. 64, by Mr. John E. Booth—Relating to Revenue and Defining the Duties of the Board of Equalization.

Mr. Allen moved to lay it on the table.

Carried.

H. B. No. 165, by the Committee on Education—Relating to Tuition Fees, etc.

On motion of Mr. Nebeker, the bill was laid on the table.

Mr. Stanford was excused for the day.

The Chair appointed as the House Conference Committee on C. B. No. 67, Messrs. Allen and Tolton.

Mr. Warner moved to adjourn.

Lost.

Mr. Hubbard moved to take a recess.

Motion lost.

Mr. Warner moved to adjourn at 5 p. m.

Carried.

## FIFTY-NINTH DAY.

## MORNING SESSION

House of Representatives,  
Wednesday, March 7, 1894.

House called to order at 10 a m., Speaker Emery in the Chair.

Roll call—Quorum Present.

Prayer by the Chaplain.

The minutes of the fifty-eighth day were read, corrected and approved.

The House consenting, the Council communications were read at this time.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 6, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the interlined amendments made by the Council, February 23, upon its passage of H. B. No. 97, which were non-concurred in by the House, February 26th, and from which the Council receded, March 5th, inst., have been stricken out, as requested, and that H. B. No. 97 is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 97, was sent to the Enrollment Committee.

Council Chamber,  
March 6, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council adheres to its amendment to H. B. No. 110, in Section 49. thereof, by which it was made to read "fifteen hundred," instead of "three thousand" and "\$2000" instead of

"\$4000," and respectfully ask for a conference on the subject, and has appointed Councilors Seaman and H. E Booth to meet such committee as you may appoint for that purpose.

H. B. No. 110 is herewith respectfully returned.

Respectfully,

P. S. SOWERS,

Chief Clerk

Received, and on motion, Messrs. Pigman and Tolton were appointed as the House Committee.

Council Chamber,

March 6, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has amended H. B. No. 28, by interlining, striking out and on separate sheets of paper attached thereto, and passed the same as amended, ayes, 11; noes, 1; and it is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

The House refused to concur in the Council amendments to H. B. No. 28, and the Council was notified.

Council Chamber,

March 6, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 50—To Amend Section 1, Chapter LXV, Session Laws 1892; ayes, 8; noes, 4; also H. B. No. 142—As to the Boundary Lines Between Juab and Tooele Counties; ayes, 11; absent 1; also C. B. No. 121, Substitute for C. B. No. 52—Authorizing, etc., the Levy of Special Tax for Street Sprinkling; ayes, 10; noes, 2; also H. B. No. 152, Relating to the Appointment of County Precinct Officers; ayes, 11; excused, 1; and said bills are herewith transmitted.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

On motion, C. B. No. 50, by Mr. Hague—Amending Session Laws, was read the first and second times by title, under a suspension of the rules, and referred to the Committee on Judiciary.

H. Bills Nos. 152 and 142 were sent to the Enrollment Committee.

Council Chamber,  
March 6, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has amended and passed H. B. No. 133 (Substitute) To Provide for the Protection of Fish and Game, etc; ayes, 10; noes, 2; also, passed H. J. M. No. 15—To Unite a Portion of Arizona to Utah; ayes, 12; also, C. J. M. No. 7, as to Woman Suffrage; ayes, 12; also, C. B. Substitute for C. B. No. 3—To Repeal Certain Sections of the Penal Code etc. ayes, 8; noes, 4; also C. B. No. 110—Reserving Exceptions to an Order Overruling a Demurrer, etc. ayes, 10; absent, 2; also, C. B. No. 115—In Reference to Larcency; ayes 11; absent, 1.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

H. J. M. No. 15 was sent to the Enrollment Committee.

C. J. M. No. 7—Relating to Woman Suffrage, was read the first and second times by title, under a suspension of the rules, and referred to the Committee on Memorials.

The House concurred in certain Council amendments to H. B. No. 133; refused to concur in others, and the Council was notified.

On motion, C. B. No. 121, Substitute for C. B. No. 52, by Mr. Williams—Relating to Powers of Cities in Certain Cases, etc.

Read the first and second times by title under suspension of the rules, and referred to the Committee on Municipal Corporations.

C. B. No. 110, by Mr. H. E. Booth—Relating to Exceptions in Demurrers and Motions for Non-suit, etc.

Read the first and second times by title, under a suspension of the rules, and referred to the Committee on Judiciary.

C. B. No. 115, by Mr. Williams—To Amend the Compiled Laws Relating to Larceny, etc.

Read the first and second times by title, under a suspension of the rules, and referred to the Committee on Judiciary.

C. B. Substitute for No. 3, by Mr. Breeden—To Repeal a Certain Section of the Compiled Laws and to Substitute a new Section, Relating to the Duties of Prosecuting Attorneys.

Read the first and second times by title under suspension of the rules and referred to the Committee on Judiciary.

The House consenting, Mr. Moore presented H. P. No. 86—Petition of Utah County Court, Relating to Revenues. Filed with H. B. No. 155.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,

March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has appointed Councilors Eldredge and Seely, to confer with regard to the non-concurrence of the House in the amendments made by the Council to H. B. No. 28, upon its passage, and that those gentlemen, as such Committee, wait your pleasure in the premises.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and the Chair named as the House Conference Committee, Messrs. Varian and Hatch.



## REPORTS OF STANDING COMMITTEES.

## APPROPRIATIONS.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Appropriations, to whom was referred the several claims passed upon by the Committee on Claims, and also the matter of presenting to this House the Appropriation Bill for this session, having had said matters under consideration, herewith present an Appropriation Bill.

And in connection with the Appropriation Bill, we find that the following sums of money have or will be appropriated by special acts, passed by this and former Legislatures, as follows:

Deficit as per Auditor's Report, December 31,	
1893.....	\$40,099 04
Bounty on Beets, etc.....	10,000 00
World's Fair.....	60,678 39
Bounty on Canaigre Root.....	19,000 00
Bounty on Silk Manufacture.....	4,000 00
Appropriation for witness and jurors' certificates (old )	30,000 00
Secretary of Sundry Expenses.....	1,500 00
Second District, for Court Certificates.....	300 00
Contingent Expenses. Thirty-first Legislative Session.....	3,000 00
Gratuities to Prisoners.....	3,000 00
Extra Compensation to Chaplains.....	300 00
Bounties on Wild Animals.....	3,000 00

Your Committee further report that we have considered H. C. No. 1 of R. R. Tanner, for \$33, and recommend that said claim be not placed in the Appropriation Bill nor allowed, as the last session of the Legislature repealed the section of the law under which this claim is based, requiring the attendance of Sheriffs on Districts Courts. See Chapter XIX, Session Laws of 1892.

PARSONS,  
Chairman.

Report adopted.

## ENROLLMENT.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. R. No. 10, relating to the Brigham Young Monument also H. J. R. No. 11. relating to the System of Land Transfers, etc., beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
March 7, 1894.

Mr Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 55—An Act Relating to Tax for Erection of Public Buildings, Construction of Roads, etc; also H. B. No. 99—An Act Relating to Bounties on Sugar Beets, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

## CONFERENCE COMMITTEE.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Conference on C. B. No. 67—Relating to Protection of Trade Marks, etc., beg leave to report as fol-

lows: The committee recommends that the House recede from its amendment in line 13, of Section 1.

H. E. BOOTH,  
ADAMS,  
Council Conferees,  
ALLEN,  
TOLTON,  
House Conferees.

Received, and, on motion, the report of the Conference Committee was adopted, and the Council was notified.

AGRICULTURE AND IRRIGATION.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred C. B. No. 45—A Bill for An Act to Protect the Dairy Interests of the Territory of Utah, beg leave to report that we have considered the same, and recommend that the bill, as amended do pass.

CLARK,  
Chairman of Committee.

Received, and C. B. No. 45 was filed for third reading.

FISH AND GAME.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Fish and Game, to whom was referred H. B. No. 138—A Bill to Establish Fish Hatcheries, having had the same under consideration, beg leave to report that said bill is commendable, and, as we think, it would be of great good to the Territory at large, but owing to the financial condition of our treasury, and as said bill requires an appropriation of \$4000, we recommend that said bill do not pass.

McKAY,  
Chairman of Committee.

Received, and H. B. No. 138 was filed for third reading.

CONFERENCE COMMITTEE.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on conference, to whom was referred H. B. No. 64—Relating to the Practice of Attorneys Before the Courts of this Territory, have had the same under consideration, and beg leave to recommend that the House concur in the amendments of the Council.

POWERS,  
VARIAN,  
WILLIAMS,  
BOOTH,

Committee.

Received.

On motion of Mr. Powers, the report was adopted, and H. B. No. 64, was sent to the Enrollment Committee.

READING OF BILLS.

With the unanimous consent of the House, Mr. Parsons presented the following:

H. B. No. 167, by the Committee on Appropriations—Relating to General Appropriations

Bill read by title first and second times, under a suspension of the rules, and ordered printed through the public printer and filed for third reading.

With unanimous consent, Mr. Wines offered the following:

H. B. No. 168—To amend the Session Laws, Relating to University Lands.

Read first and second times by title, under a suspension of the rules, and referred to Committee on University Lands.

The House consenting Mr. Ivins presented H. J. R. No. 14—Relating to Free Public Libraries.

Under a suspension of the rules, the resolution was read the first, second and third times and passed, 19 to 0.

ROLL CALL ON PASSAGE OF H. B. NO. 14.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride McKay, Monson, Moore, Parsons, Pigman, Sears, Stanford, Tolton, Warner, Mr. Speaker—19.

Noes—0

Absent—Nebeker, Powers, Stoker, Varian, Wines—5.

THIRD READING OF BILLS.

H. B. No. 112, by Mr. Wines (by request)—To Establish Fish Hatcheries.

Mr. Allen moved to strike out the enacting clause.  
Motion carried.

C. B. No. 45, by Mr. Lund—A Bill for An Act to Protect the Dairy Interests of Utah.

Bill, as amended, passed—19 to 0—and the Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 45.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Sears, Stanford, Stoker, Tolton, Warner, Wines, Mr. Speaker—19.

Noes—0.

Absent—Nebeker, Parsons, Pigman, Powers, Varian—5.

H. B. No. 166 was filed, to be considered with H. B. No. 168.

On motion of Mr. Allen, the House, at 11:20 a. m., took a recess until 2 p. m.

AFTERNOON SESSION.

The House reconvened at 2 p. m.

Speaker Emery in the Chair.

Roll-call—Quorum present.

On motion H. B. 167, by the Committee on Appropriations, was made special order for Thursday March 8th, at 10:30 a.m.

H. Bills Nos. 155 and 122 were filed, to be considered in conjunction with H. B. No. 167.

Mr. Warner moved to make H. B. No. 166 the special order for 11:30 a. m., Thursday March 8th.

Carried.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 7, 1894.

Hon Albion B. Emery, Speaker of the House of Representatives Salt Lake City. Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Amending Section 2008 of the Compiled Laws of 1888, as amended in the Session Laws of 1890, Chapter XL, Relating to Revenue.

I am, sir, very respectfully,  
CALEB W. WEST.

Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 7, 1894.

Hon Albion B Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory An Act Amending Section 3460, of the Compiled Laws of Utah, also, a Resolution Authorizing the Appointment of a Commission to investi-

gate the Systems of Records and Land Transfers, and to report, etc.

I am, sir, very respectfully,  
 CALEB W. WEST,  
 Governor.

Received.

TERRITORY OF UTAH,  
 Executive Office,  
 Salt Lake City.  
 March 7, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, a resolution authorizing the Governor to tender to the Brigham Young Memorial Association, unincorporated, a site upon the Capitol Grounds for the erection of a monument to Brigham Young.

I am, sir, very respectfully,  
 CALEB W. WEST,  
 Governor.

Received.

#### REPORTS OF STANDING COMMITTEES.

##### AGRICULTURE AND IRRIGATION.

Committee Room,  
 March 7, 1894.

Mr. Speaker—

Your Committee on Agriculture and Irrigation, to whom was referred H. Bills Nos. 85 and 104, Creating an Irrigation Commission, beg leave to report that we have considered the same, and present a Substitute, with the recommendation that it do pass. and that H. Bills Nos. 85 and 104 lie on the table.

CLARK,  
 Chairman.

Received, and H. B. No. 169 (Substitute) was filed for first reading, and H. Bills Nos. 85 and 104 were laid on the table.



## MUNICIPAL CORPORATIONS.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations, having duly considered C. B. No. 121, beg leave to report as follows: Your Committee recommend that said bill do not pass.

JOHNSON,  
Chairman of Committee.

Received, and C. B. No. 121, was filed for third reading.

## JUDICIARY.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred Substitute for C. B. No. 3, entitled—An Act to Repeal Section 4779, s 8, of Title XVI, of the Penal Code, Compiled Laws of Utah, 1888, Volume 2, and to Substitute a New Section Therefor, having duly considered the same, recommend that it do not pass.

VARIAN,  
Chairman of Committee.

Received, and substitute for C. B. No. 3, was filed for third reading.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred C. B. No. 110, entitled An Act Reserving Exceptions to an order Overruling a Demurrer, or an Order Overruling Motion for a Non-Suit, and C. B. No. 115, entitled, An Act to Amend Chapter V, of Title 13, of the Compiled Laws of Utah, 1888, in Reference to Larceny, having had the same under consideration, beg leave to report that they recommend that they do pass.

VARIAN,  
Chairman of Committee.

Received, and C. Bills Nos. 110 and 115 were filed for third reading.

## ENROLLMENT.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Enrollment to whom was referred H. B. No. 101—An Act Relating to Non-Partisan Fire and Police Departments, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER  
Chairman of Committee.

Received.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 97—An Act relating to Stock Running at Large; also, H. B. No. 142—An Act relating to the Boundary between Juab and Tooele Counties, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

## APPROPRIATIONS.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Appropriations, having duly considered H. P. No. 85, beg leave to report as follows: That

said petition lie upon the table, as the subject matter will be considered with the Appropriation Bill.

PARSONS,  
Chairman of Committee.

Received.

H. P. No. 85 was read at length and, on motion, was laid on the table.

COMMITTEE ON CONFERENCE ON H. B. NO. 110.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Joint Committee on Conference, having had under consideration H. B. No. 110—For An Act entitled the Military Code of Utah, beg leave to report as follows:

That the House concur in all amendments made by the Council, excepting amendment to Section 49, in line one, and that the Council recede from that amendment, and that both Council and House insert the sum of \$3000 in line 3 of said section, in lieu of \$2000, and that Section 9, of said act, be inserted.

H. E. BOOTH  
JNO. SEAMAN,  
S. G. PIGMAN,  
J F. TOLTON.

Received, and report adopted.

CONFERENCE COMMITTEE ON H. B. NO. 28.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee of Conference upon H. B. No. 28, being a Bill for An Act to Secure Liens to Mechanics and Others, etc., having duly considered the same, beg leave to report as follows: They recommend that the Council recede from its amendments in lines 17, 18, 19 and 20, of Section

8, in the printed bill, and that the House concur in all of the other amendments proposed by the Council.

ALMA ELDREDGE,  
ORANGE SEELEY,  
For the Council.

C. S. VARIAN,  
A. C. HATCH.  
For the House.

Received, and report adopted.

#### MEMORIALS.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Memorials, having duly considered C. J. M. No. 7, Relating to Woman Suffrage, beg leave to report as follows: We propose an amendment to line 6, as follows: Strike out the words "has ceased now," and insert in lieu thereof the words "have since passed away." We recommend that the memorial, as thus amended, do pass.

ALLEN,  
Chairman of Committee.

Received, report adopted, and C. J. M. No. 7 was filed for third reading.

#### READING OF BILLS.

H. B. No. 169, by Committee on Agriculture and Irrigation (Substitute for H. Bills Nos. 85 and 104)—Relating to a Convention of Irrigation.

Read at length first time.

Mr. Johnson moved to strike out the enacting clause. Motion lost.

The bill was filed for second reading.

#### SECOND READING OF BILLS.

H. B. No. 169, by the Committee on Agriculture and Irrigation—Creating a Convention of Irrigation.

Read by title the second time and the third time at length, under a suspension of the rules.

Mr. Stanford moved to postpone the consideration indefinitely.

Carried.

#### THIRD READING OF BILLS.

H. B. No. 164, by Speaker Emery—Relating to the Care of Public Moneys.

Bill lost—16 to 5.

#### ROLL CALL ON PASSAGE OF H. B. No. 164.

Ayes—Dougall, Hatch, Monson, Nebeker, Mr. Speaker—5.

Noes—Allen, Clark, Hubbard, Ivins, Mason, McBride, McKay, Moore, Parsons, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines—16.

Absent—Johnson, Pigman, Sears—3.

C. J. M. No. 7, by Councilor John E. Booth—Relating to Woman's Suffrage.

Memorial passed, 16 to 4, and the Council was notified.

#### ROLL CALL ON PASSAGE OF C. J. M. NO. 7.

Ayes—Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Moore, Nebeker, Stanford, Stoker, Tolton, Warner, Wines—16.

Noes—Mason, Parsons, Powers, Mr. Speaker—4.

Absent—Allen, Pigman, Sears, Varian—4.

C. B. No. 115, by Councilor Williams—Relating to Larceny.

Bill passed, 23 to 0, and the Council was notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 115.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Neb-

eker, Parsons, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines, Speaker Emery—23.

Noes—0.

Absent—Sears—1.

C. B. No. 121, Substitute for C. B. No. 52, by the Committee on Municipal Corporations—Relating to Levying of Special Taxes.

Mr. Powers moved to strike out the enacting clause.

Carried, and the Council was notified.

C. B. No. 110, by Councilor H. E. Booth—Reserving Exceptions in Orders for Demurrer and Motions for Non-Suit.

Bill passed, 24 to 0, and the Council was notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 110.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

C. B. (Substitute) No. 3, By the Judiciary Committee—To Amend Certain Laws Relating to Cruelty to Animals.

Bill lost—16 to 7, and Council was notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 3 (Sub).

Noes—Clark, Hubbard, Ivins, Johnson, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Mr. Speaker—16.

Ayes—Allen, Dougall, Mason, McBride, Sears, Warner, Wines—7.

Absent—Hatch—1.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed inform your Honorable Body that the Council has adopted the report of the Conference Committee on the amendments made to H. B. No. 28—As to Mechanics' Liens, and has receded from its amendments made in lines 17, 18, 19, and 20, of Section 8, of said bill, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

The amendments to H. B. No. 28, were read the first, second, and third times and concurred in by the following roll call vote—24 to 0. The bill was sent to the Enrollment Committee and the Council was notified.

## ROLL CALL ON AMENDMENTS TO H. B. NO. 28.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—24.

Noes—0.

Mr. Allen was excused for the day.

C. B. No. 64, By Councilor John E. Booth—Relating to Revenue and the Duties of Courts and Boards of Equalization. Bill lost—11 to 8—and the Council notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 64.

Ayes—Dougall, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford—8.

Noes—Clark, Hatch, Ivines, Johnson, Monson, Moore, Nebeker, Stoker, Tolton, Warner, Mr. Speaker.—11.

Absent—Allen, Hubbard, Parsons, Varian, Wines—5.



## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has amended, by substituting a new section for Section 3 of the original, and as amended, passed H. B. No. 117—Providing for the Payment of Jurors, etc.—ayes, 7; noes, 5; and it is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

On motion, H. B. No. 117 was laid on the table, as amended.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has this day approved and filed in the office of the Secretary of the Territory, An Act Abolishing the Office of the Collector in Cities of the Third Class; also, An Act Amending Section 4773, s2, of the Compiled Laws of Utah, of 1888, of An Act of the Governor and Legislative Assembly of the Territory of Utah, entitled, An Act to Prevent Cruelty to Animals, approved March 5, 1888.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has rejected H. B. No. 130—To Provide for Payment of Jurors and Witnesses, etc., and that it has amended and passed, as amended, H. B. No. 66, by Mr. Hubbard—

Creating a Territorial Board of Equalization, etc., and that both bills are herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

The House concurred in the Council's amendments to H. B. No. 66. The bill was sent to the Enrollment Committee and the Council was notified.

On motion of Mr. Tolton, at 4 p. m. the House adjourned until 10 a. m. Thursday.

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## SIXTIETH DAY.

### MORNING SESSION.

House of Representatives,

Thursday, March 8, 1894.

House called to order at 10 a. m., Speaker Emery in the Chair.

Roll call—Quorum Present.

Prayer by the Chaplain.

The minutes of the fifty-ninth day were read, corrected and approved.

### REPORTS OF STANDING COMMITTEES.

### CONTINGENT EXPENSES.

Committee Room

March 7, 1894.

Mr. Speaker:

Your Committee on Contingent Expense, having examined the following accounts, find them to be correct and recommend that they be allowed.

Alex. Wallace .....	\$ 3 00
W. B. Barber .....	1 00
Star Printing Company .....	44 40

Total .....\$48 40

MCBRIDE,  
Chairman.

#### COMMUNICATION FROM THE AUDITOR.

TERRITORY OF UTAH,  
Auditor's office  
Salt Lake City,  
March 7, 1894.

Hon Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly, Salt Lake City, Utah:

Dear Sir—I have the honor to forward herewith, for the action of the Legislative Assembly, Auditor's Warrant No. 3463, for \$2.10, issued October 27th, 1888, to Charles Handley, in payment of witness fees in the Third District Court in 1886, which has been filed in the office of the Auditor of Public Accounts, in accordance with the provisions of an Act Prohibiting the Territorial Treasurer paying and all Taxpayers receiving for taxes any Territorial Warrants Issued Prior to March 15th, 1890, approved March 10th, 1892.

Very Respectfully,  
JOHN T. CAINE  
Auditor of Public Accounts.

Received, and report, with H. C. No. 72, referred to the Committee on Claims.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has amended H. B. No. 86 (Substitute)—As to

Establishing, etc., Free Public Libraries—ayes, 12; noes, 0; and it is herewith returned.

Respectfully,  
P. S. SOWESS,  
Chief Clerk.

Received, and, on motion, the House concurred in the Council amendments to H. B. No. 86, and the bill was sent to the Enrollment Committee.

## ENROLLMENT.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. J. M. No. 15—Relating to Line between Utah and Arizona; also H. B. No. 64—An Act Relating to the Practice of Attorneys, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor, for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 152—An Act Relating to Appointment and Qualification of County and Precinct Officers, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day sent to the Governor, for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred

H. B. No. 28, An Act Relating to Liens of Mechanics, Material Men, etc., beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and and the President of the Council, and was this day sent to the Governor, for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

SPECIAL ORDER.

10:30 a. m.

H. B. No. 167, by the Committee on Appropriations—  
A Bill for An Act Making Appropriations for General Purposes.

After a lengthy discussion, Mr. Varian, at 12 m., moved to take a recess until 1:30 p. m.

Motion lost.

With unanimous consent, Mr. Varian renewed his motion which was carried, and the House took a recess until 1:30 p. m.

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AFTERNOON SESSION.

The House reconvened at 1:30 p. m.

Speaker Emery in the Chair.

Roll call—Quorum present.

The House consenting, the following communications from the Council and Governor were read:

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1994.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C B. No. 7, Relating to the Practice of

Dentistry, etc—ayes, 7; noes, 3; absent, 2; and the same is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and on motion, C. B. No. 7, by Councilor Taylor—Regulating the Practice of Dentistry, etc., read first and second times by title, under suspension of the rules, and referred to the Committee on Public Health.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives:

Sir—I herewith return and respectively recommend the amendment of An Act to Appoint a Board of Police and Fire Commissioners in Certain Cities, and to place the Police and Fire Departments of said Cities upon a Non-Partisan Basis. The intention and purpose of the measure, viz: To take the Police and Fire Departments outside of partisan politics in Cities of more than 12,000 population is commendable and praiseworthy, and meets with my hearty approval.

It is also right and just to protect in their terms of office as the bill does, those who have been selected and are now holding positions. One of its provisions, however, seems to me obviously unjust and might possibly defeat, in some measure, the purposes of the law. The present incumbents are favored and put upon a better footing than other citizens. Section 7 requires that the present Chiefs of Police and Engineers of the Fire Departments shall retain the positions they now hold after the expirations of their present terms unless removed by a vote of three members of the Board, thus they can be retained in their positions at the will of but two members, while all other applicants must have the concurrence of three of the Board be-

fore they can obtain appointment. I suggest an amendment to cure this inequality.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received, and on motion, the Chair appointed a Committee in relation to H. B. No. 101, consisting of Messrs. Powers and Mason.

Speaker Emery, at this time, presented to each of the members and officers of the House a handsome boutonniere.

On motion of Mr. Sears, put by Mr. Allen, the House accepted the gift with thanks.

The House proceeded with the consideration of H. B. No. 167, by the Committee on Appropriations—Making Appropriations for General Purposes.

The House consenting, Mr. Johnson offered the following:

#### HOUSE RESOLUTION NO. 25.

*Whereas*, Donn J. Shields, the page of this House, has faithfully performed his duty, therefore, be it

*Resolved*, That the compensation of said Donn J. Shields be fixed at the sum of two dollars per day, and the Sergeant-at-Arms is hereby authorized and directed to pay the same from the contingent fund of the House.

Read at length and laid on the table.

The House consenting, Mr. Nebeker offered the following:

*Whereas*, It has come to the knowledge of the members of the left side of this House that there is a matter concerning the Speaker, which demands immediate attention; therefore, be it

*Resolved*, That the Chair be yielded to the Chief Clerk, until a matter, which directly affects the Speaker of this House, may be determined.

Resolution adopted unanimously.



Chief Clerk Stanton assumed the Chair and recognized Mr. Ivins, who, in a few well chosen words, presented, from the members of the House, a gavel, appropriately inscribed with their compliments.

Speaker Emery, in accepting the gift, responded with feeling, after which he resumed the Chair, and the House proceeded with the consideration of the Appropriation Bill.

During the discussion, Mr. Tolton assumed the Chair, on the invitation of the Speaker, who was temporarily excused.

Speaker Emery resumed the Chair.

Before final disposition of Bill No. 167, the House consenting, the following communications were here read:

REPORTS OF SELECT COMMITTEE.

Salt Lake City,  
March 8, 1894.

Mr. Speaker:

Your Committee, to whom was referred the communication of the Governor, with reference to H. B. No. 101, beg leave to report that they advise that the amendments recommended by the Governor be adopted.

POWERS,  
MASON,  
Committee.

Report adopted.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 161—Relating to Corporations—ayes, 11; noes, 0; absent, 1; also that it has rejected H. B.

No. 157, and tabled indefinitely H. B. No. 139, (Substitute for H. B. No. 132). Three bills are herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 161 was sent to the Enrollment Committee.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 129—Authorizing the Utah World's Fair Commission to Dispose of the Property and Exhibits Returned from the World's Columbian Exposition, ayes—12, and the same is herewith transmitted.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

C. B. No. 129—Authorizing the Utah World's Fair Commission to Dispose of Certain Exhibits, was read first and second times by title and referred to the World's Fair Committee.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that, under suspension of its rules by unanimous consent, the Council has passed C. B. No 128, Relating to Revenue, and Further Defining the Duties of County courts and Territorial Board of Equalization—aves, 9; absent, 3; and the same is enclosed.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 128 was read first and second times by title, under suspension of the rules, and referred to the Committee on Ways and Means.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed with amendment, C. B. No. 126 In Relation to Dower and Succession—ayes, 12; the same is herewith forwarded.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 126 was read first and second times by title under a suspension of the rules, and referred to the Committee on Judiciary.

Committee Room,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 128—To Prevent Officers, etc., From Creating Deficits in Excess of Appropriations—ayes 7, noes 4, absent 1; also that it has tabled indefinitely, H. B. No. 138 and H. B. No. 156, and has rejected H. B. No. 134 (Substitute for H. Bills Nos. 52 and 65) and H. B. No. 146, all of which are herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Five enclosures.

Received, and H. B. No. 128 was sent to the Enrollment Committee.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 116. Providing for the Incorporation of Cities—ayes, 10; noes, 1; absent, 1; and it is enclosed herein.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 116 was read first and second times by title, under a suspension of the rules, and referred to the Committee on Municipal Corporations.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has this day approved and filed in the office of the Secretary of the Territory, An Act Amending Subdivision 3 of Section 3877 of the Compiled Laws of Utah, of 1888, Relating to Witnesses; also, An Act Amending Sections 2277 and 2285 of Compiled Laws of Utah, 1888; also, An Act Authorizing the County Courts to Appoint Fruit Tree Inspectors and to Provide for the Destruction of Fruit Destroying Insects.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. B. No. 135—To Establish Kindergartens, has been passed by the Council—ayes, 8; noes, 4; also, H. B. No. 144—relating to the fees of witnesses—ayes, 7; noes, 3; absent, 2; and both are herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

H. B. No. 135 and H. B. No. 144 were sent to the Enrollment Committee.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 114—to Tax Estates of De-

ceased Persons—ayes, 10; noes, 2; and the same is herewith transmitted.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received and C. B. No. 114 was read by title first and second time, under a suspension of the rules, and referred to the Committee on Judiciary.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 109—Providing for a Lessor's Lien—ayes 10, noes 1, absent 1; also H. B. No. 163—To Authorize Certain School Districts to Levy Special Tax etc.,—ayes, 11; absent, 1; also, H. B. No. 27—To Encourage the Production of Canaigre, etc.—ayes, 7; noes, 4; absent, 2; also C. B. No. 118—To Release One Joint Debtor without Discharging the Other—ayes, 12. All of said bills are herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

H. Bills Nos. 163 and 27 were sent to the Committee on Enrollment.

C. Bills Nos. 109 and 118 were read by title first and second times, under a suspension of the rules, and referred to Committee on Judiciary.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed, by a vote of 12 ayes, a substitute originating in the Council, for H. B. No. 44—Relating to School Lands, and H. B. No. 44 was rejected.

H. B. No. 44, with the substitute named attached thereto, is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and Council substitute was read first and second times by title, under a suspension of the rules, and referred to the Committee on Ways and Means.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. J. M. No. 16—Relating to the Leasing of School Lands—and returns it herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. J. M. No. 16 was sent to the Enrollment Committee.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that it respectfully requests the return of H. B. No. 110, for reference in determining its further action as to the report of the Conference Committee.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, without action, as H. B. No. 110 had already been returned.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council adheres to its amendments to H. B. No. 133, and that the same is herewith returned.

H. B. No. 133, is a Substitute for H. Bills Nos. 80 and 20, and provides for the Protection of Fish and Game, etc.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

The House refused to concur in Council amendments to H. B. No. 133, and Council notified.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 149—As to Befouling of Waters—ayes, 8; noes, 4; and it is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received and H. B. No. 140 was sent to the Enrollment Committee.

Council Chamber.  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has rejected H. B. No. 7—For Payment of Jurors, etc., for Second Judicial District, and H. B. No. 83—To Encourage the Building of Reservoirs, etc., both of which are herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council declines to adopt the amendments made by the House to Council Bill No. 45, except that on line 5, Sec-



tion 1, viz: The interlineation of the word "on." The bill is for an Act to Protect the Dairy Interests of the Territory of Utah. The Council has appointed Councilors John E. Booth and Lund to meet any Committee that you may select, for conference on the subject.

Respectfully

P. S. SOWERS,

Chief Clerk.

Received.

The Chair appointed, as the House Committee on Conference Messrs. Clark and Hubbard.

Council Chamber

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council adopted the report of the Conference Committee heretofore appointed to consider its amendments made to H. B. No. 110 on its passage, and that it recedes from its amendment in line 1, Section 49, and agrees to insert the words "three thousand dollars," in line 3 of said section, in lieu of "two thousand," and agrees also, that Section 9, as originally printed, shall be inserted, and made part of the bill.

Respectfully,

P. S. SOWERS,

Chief Clerk,

Received, Council amendments concurred in, and H. B. No. 110 was sent to the Committee on Enrollment.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day adopted C. C. R. No. 12, asking His Excellency, the Governor, to return to the Council C. B. No. 88 for further consideration, and the same is herewith enclosed.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and C. C. R. No.12 was adopted, and the Council notified.

Council Chamber,  
March 7, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council passed C. B. No. 94—To Relieve Irrigation Companies, etc, —ayes 8, noes 4, and enclose same herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No.94 was read by title first and second times, under a suspension of the rules and referred to Committee on Agriculture and Irrigation.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed. C B. No. 111, Making Admissible in Evidence Certain Deeds, etc.—ayes, 12—and enclose same herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

C. B. No. 111, was read by title first and second times, under a suspension of the rules, and referred to the Committee on Judiciary.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that H. B. 141—Relating to Post-Mortem Examinations, has passed the Council—ayes, 12; also, C. B. No. 122—To Amend Section 475 s65, Compiled Laws of 1888—ayes, 12; both of which are herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

H. B. No. 141 was sent to the Enrollment Committee. C. B. No. 122 was read by title first and second times, under a suspension of the rules, and referred to the Committee on Judiciary.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council passed H. J. R. No. 14—To Give Copies of Utah Laws to Free Public Libraries—ayes, 11; absent, 1; and it is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. J. R. No. 14 was sent to the Enrollment Committee.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council amended and, as amended, passed H. B. No. 150—Regulating the Practice of Medicine, etc.—ayes, 9; noes, 3; and returns same herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Mr. Allen moved to strike out the enacting clause of H. B. No. 150.

Motion lost.

Mr. Allen moved to postpone indefinitely.

Motion lost.

The House concurred in the Council amendments to H. B. No. 150, Council notified, and the bill was sent to the Enrollment Committee.

Mr. Nebeker assumed the Chair, on the invitation of

the Speaker, who addressed the House on the pending measure H. B. No. 150, and again resumed the Chair.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 123—To Provide for the Payment of Additional Contingent Expenses, etc.—ayes, 9; noes, 3; and it is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Referred to the Enrollment Committee.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Establishing and Locating the Boundary Line Between Juab and Tooele Counties; also, An Act to Amend Sections 1824 and 1827, of the Compiled Laws of Utah, in Relation to the Organization of Towns.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

## COMMUNICATIONS FROM THE AUDITOR.

TERRITORY OF UTAH,  
Auditor's office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly of Utah:

Dear Sir—I have the honor to forward, herewith, the financial statement of Weber County for the year 1893, which has been filed in this office since my communication of the 5th inst., transmitting similar reports.

Very respectfully,  
JOHN T. CAINE,  
Auditor of Public Accounts.

Report received, and statement referred to the Committee on Ways and Means.

TERRITORY OF UTAH,  
Auditor's Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly of Utah:

Dear Sir—I have the honor to hand you, herewith, the Financial Statement of Grand County, for the year 1893, which has this day been filed in my office.

Very respectfully,  
JOHN T. CAINE,  
Auditor of Public Accounts.

Report received and statement referred to the Committee on Ways and Means.

## REPORT OF COMMITTEE ON ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 66—An Act Relating to Equalization of Assessments for taxes, etc. also, H. B. No. 86—An Act Relating to the Establishment of Free Public Libraries; also, H. B. No. 128—An Act Relating to Deficits in Excess of Appropriation, beg leave to report that the same have been correctly enrolled signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Mr. Sears moved, at 6:30, to take a recess until 7:30.

Mr. Stanford moved to amend until 8 o'clock.

Amendment carried, and the House took a recess, to meet at 8 o'clock p. m.

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EVENING SESSION.

The House reconvened at 8 p. m.

Speaker Emery in the Chair.

Quorum present.

The House proceeded with the consideration of H B No. 167, by Committee on Appropriations—Making Appropriations for General Purposes.

The following report, as bearing on the measure pending was here read:

## REPORT OF THE COMMITTEE ON WAYS AND MEANS.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred the reports of Court Commissioners of the First Second and Third Judicial Districts, respectfully represent that on receiving from the Territorial Treasurer a statement of the total amount of Court Certificates redeemed by County Collectors, who had received and credited said certificates on taxes in the several Judicial Districts, there now remains of such juror's and witnesses' certificates, outstanding, the following amounts, which amounts your Committee recommend be placed in the Appropriation Bill, to be drawn on the order of the several Court Commissioners, to-wit:

First Judicial District, to be drawn on the order of the Court Commissioner,	7,556 22
Second Judicial District, to be drawn on the order of the Court Commissioner,	6,521 30
Second Judicial District, for salary 1892 and 1893, to be drawn by W. H. Bakes	200 00
Third Judicial District, to be drawn on the order of the Court Commissioner,	2,042 65
Fourth District	672 65
Total	<hr/> \$16,320 17
	<hr/> \$16,992 17

No report received by your Committee from the Court Commissioner of the Fourth Judicial District; but from a statement on file in the Auditor's Office, we learn that Court Commissioner H. H. Rolapp reported cash on hand January 1, 1894, to the amount of \$1906.48; hence your Committee infer that there are no outstanding certificates in this district.

We herewith return reports of Court Commissioners, and recommend that they be filed with the Territorial Auditor.

STANROD,  
Chairman.



## Deficits of District Court Commissioners, First District Court:

Amount of Certificates Circulating . . . .	\$11,948 50
Less cash on hand . . . . .	\$ 910 08
Less Paid on Taxes . . . . .	3,482 20    4,392 28
Total Deficit . . . . .	<u>\$ 7,556 22</u>

## Second District

Amount Certificates Unredeemed . . . .	\$ 8,054 90
Salary of Commissioner, 1892 and 1893, W. H. Bakes . . . . .	200 00
	<u>8,254 90</u>
Less Certificates paid on Taxes . . . . .	1,533 60
Total Deficit . . . . .	<u>\$ 6,721 30</u>

## Third District

Amount Certificates Unredeemed . . . .	\$10,132 60
Less cash on hand . . . . .	\$ 408 15
Less Certificates paid on Tax . . . . .	7,681 80    8,089 95
Total Deficit . . . . .	<u>\$ 2,042 65</u>
Fourth District . . . . .	672 00
Grand Total . . . . .	<u><u>\$16,992 17</u></u>

Received and report adopted.

The House consenting, the following Council communications were here read:

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day approved and filed in the office of the Secretary the following bills and memorials, viz: An Act Providing for the Dissolution of Irrigation Companies; also a Memorial to the Congress of the United States to Restore to the Women of Utah the Right of Suffrage; also, a Memorial to the Congress to Extend the Time Within Which Desert Claimants are Required to Retain the Land and Make Their Final Proof; also, A Memorial to Congress to Give the Industrial Home Building to the Terri-

tory, to be used as a Hospital for Women, and Children of Tender Age.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council concurs in the amendment to H. B. No. 101. A Bill for the Appointment of a Board of Police and Fire Commissioners in Certain Cities, and the same is herewith returned for further action.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 101 was sent to the Enrollment Committee.

The Appropriation Bill, H. B. No. 167, as amended, passed, 16 to 5, and title approved.

#### ROLL CALL ON PASSAGE OF H. B. No. 167.

Ayes—Allen, Clark, Dougall Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Sears, Tolton, Varian, Mr. Speaker—16.

Noes—Hatch, Hubbard, Powers, Stanford, Warner—5.

Absent—Parsons, Stoker, Wines—3.

The House consenting, Mr. Powers offered H. C. R. No. 7—Thanking the Public Printer, Mr. James B. Bloor, for efficient services.

Read at length and adopted.

H. B. No. 155, by Mr. Varian—To Amend Compiled Laws Relating to Revenue.

Mr. Powers assumed the chair on the invitation of the Speaker, who was excused.

Mr. Hatch was excused temporarily.

Mr. Tolton was excused temporarily.

On motion of Mr Moore, a petition from residents of Utah County, relating to H. B. No. 155, was read at length.

Speaker Emery resumed the chair.

#### REPORT OF STANDING COMMITTEES.

##### ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 161—An Act Relating to Private Corporations, etc.; also H. J. R. No. 14—Relating to Furnishing Free Copies of Laws to Free Libraries, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor, for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

#### COMMUNICATION FROM THE GOVERNOR.

The House consenting, the following communication from the Governor was read:

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Appoint a Board of Police and Fire Commissioners in Certain Cities, and to

Place the Police and Fire Departments of said Cities upon a Non-Partisan Basis.

I am, sir, very respectfully,  
 CALEB W. WEST,  
 Governor.

Received.

Mr. Ivins asked and was granted leave to introduce the following resolution:

*Resolved*, That, hereafter, debate upon any measure under consideration shall be limited to ten minutes, except by unanimous consent of the House.

Adopted.

H. B. No. 155 lost—12 to 12.

#### ROLL CALL ON PASSAGE OF H. B. NO. 155.

Ayes—Allen, Dougall, Hatch, Mason, Parsons, Pigman, Powers, Sears, Stanford, Varian, Wines, Mr. Speaker—12

Noes—Clark, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Moore, Nebeker, Stoker, Tolton, Warner—12.

#### COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
 Executive Office,  
 Salt Lake City,  
 March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly, Salt Lake City, Utah:

Sir—I return, herewith, An Act to Secure Liens to Mechanics and others, and Repeal all other Acts and Laws in relation thereto, with a recommendation that the word "not" in the seventeenth line of Section 5, be stricken out. The word seems to have been inserted through inadvertence, but materially and unintentionally changes an important feature of the law.

I am, sir, very respectfully,  
 CALEB W. WEST,  
 Governor.

Received, and the bill was amended as suggested.

C. B. No. 63, by Mr. John E. Booth—A Bill for An Act Providing for Boards of Equalization in Certain Cities.

Bill as amended passed, 15 to 0, and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 63.

Ayes—Allen, Clark, Dougall, Hubbard, Johnson, McBride, McKay, Nebeker, Powers, Sears, Stanford, Stoker, Tolton, Wines, Mr. Speaker—15.

Noes—0.

Absent—Ivins, Mason, Monson, Moore, Parsons, Pigman, Varian. Warner—8.

Excused—Hatch—1.

Mr. Nebeker moved to file H. B. No. 48, for third reading.

Carried.

H. B. No. 122— by Mr. Powers.

On motion of Mr. Varian, the bill was laid on the table.

REPORTS OF STANDING COMMITTEES.

JUDICIARY.

Committee Room  
March 8, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 111, An Act Providing for a new Section of the Code of Civil Procedure, etc., beg leave to report the same with no further recommendation than heretofore made by this Committee.

VARIAN,  
Chairman of Committee.

Received, and H. B. No. 111 was filed for third reading.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Judiciary having duly considered C.

B. No. 108—A Bill for An Act to Amend Chapter XXXI, Session Laws of Utah, 1892, etc., beg leave to report as follows: They recommend that the bill be amended by striking out Council amendment to lines 21, 22 and 23, in Section 1 of the printed bill, and also the said lines 21, 22 and 23, and inserting in lieu thereof: "The Collector shall receive \$2 for each certificate of sale, in full for all his services," and by striking out all after "therefore," in line 8, all of lines 9 and 10, to word "provided" in line 10 in Section 2 of printed bill, and by inserting at the end of Section 4, "This Act shall take effect on January 1st, A. D. 1895."

The Committee report the bill without further recommendation.

VARIAN,  
Chairman of Committee.

Received, and report, with amendments, filed with bill for third reading.

Committee Room,  
March 8, 1894.

Mr Speaker:

Your Committee on Judiciary, having duly considered C. B. No. 50—A Bill for An Act Amending Section 1, Chapter LXV, Session Laws, 1892, beg leave to report as follows:

The undersigned recommend that it do pass.

POWERS,  
NEBEKER,  
VARIAN.  
JOHNSON,  
IVINS.

We recommend that it do not pass.

ALLEN,  
STANFORD.

Received, and bill, with report, filed for third reading.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 160, a Bill for An Act to Amend Chapter XXXI,

of the Session Laws of Utah, 1892, beg leave to report the same with the recommendation that the bill do lie upon the table. The reason of such recommendation is, that C. B. No. 108 now before the House is the same as H. B. No. 160, and the subject matter may be disposed of in the consideration of the Council Bill.

VARIAN,

Chairman of Committee.

Received, and H. B. No. 160 laid on the table.

#### ENROLLMENT.

Committee Room,

March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment to whom was referred H. B. No. 23—An Act Relating to Additional Contingent Expenses, etc.; also, H. B. No. 135—An Act Relating to Kindergarten Schools; also, H. B. No. 141—An Act Relating to Post-Mortem Examinations; also, H. B. No. 149—An Act Relating to Befouling of Waters; also, H. B. 144—An Act Relating to Taxing Fees of Witnesses, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,

Chairman.

Received.

Council Chamber,

March 8, 1894.

Mr. Speaker:

Your Committee on University Lands, to whom was referred H. B. No. 168—entitled, An Act to Amend Chapter LXII, Session Laws of 1892, Authorizing the Sale of University Lands, having considered the same, beg leave to report that they recommend that it do pass.

STANFORD,

Chairman of Committee.

Received, and bill filed for third reading.



## WAYS AND MEANS.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred Council substitute for H. B. No. 44, entitled —An Act Amending Chapter LXXVI, Session Laws of Utah of 1892, C. B. No. 129, entitled—An Act Authorizing the Utah World's Fair Commission to Dispose of the Property and Exhibits Returned from the World's Columbian Exposition, and C. B. No. 128, entitled—An Act in Relation to Revenue and Further Defining the Duties of County Courts and of the Territorial Board of Equalization, having had the same under consideration, beg leave to report that they recommend that they do pass.

STANFORD,  
Chairman of Committee.

Received, and bills filed for third reading.'

## AGRICULTURE AND IRRIGATION.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred C. B. No. 94, A Bill to relieve Irrigation Companies from Certain Responsibilities, beg leave to report that we have considered the same and recommend that the bill do pass.

Clark,  
Chairman.

Received, and bill filed for third reading.

## JOINT COMMITTEE ON CONFERENCE.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Joint Committee on Conference, to whom was

referred C. B. No 45, A Bill for An Act for the Protection of Dairy Interests in the Territory of Utah, beg leave to report that the House recede from the second amendment made by the House, and that the Council concur in the first and third amendments made by the House.

C. N. LUND.

W. H. CLARK.

D. C. HUBBARD,

JOHN E. BOOTH.

Received, and report adopted.

PUBLIC HEALTH.

Committee Room,

March 8, 1894.

Mr. Speaker:

Your Committee on Public Health, to whom was referred C. B. No. 7 and H. B. No. 109—Regulating the Practice of Dentistry in the Territory of Utah, beg leave to report that we have considered the same, and recommend that C. B. No. 7 do pass, and that H. B. No. 109 lie upon the table.

WINES,

Chairman of Committee.

Received, and H. B. No. 109 was laid on the table, and C. B. No. 7 was filed for third reading.

H. C. R. No. 8, by Mr. Parsons—Asking remuneration for Chief Clerks, for extra work.

Resolution, as amended, passed, and Council notified.

Mr. Powers called up resolution offered by Mr. Johnson, in reference to extra compensation for Donn J. Shields.

Resolution read at length and lost.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,

Executive Office,

Salt Lake City,

March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City Utah;

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Relative to the Appointment and Qualification of County and Precinct Officers.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Secure Liens to Mechanics and Others and to Repeal all other Acts and Laws in Relation Thereto.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved, and filed in the office of the Secretary of the Territory, An Act Amending Chapter XXIII of the Session Laws of 1892, entitled An Act Creating a Territorial Board of Equalization for Equalizing

Assessments for Taxes in the Territory of Utah, and Prescribing Its Duties and Powers, Approved March 2, 1892.

I am, sir, very respectfully,

CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, a Memorial to the Congress of the United States, asking that all of that part of Mohave and Coconino Counties, Arizona, lying north of the Colorado river, be attached to and become a part of the Territory of Utah.

I am, sir, very respectfully,

CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Amending Section 4511 of Chapter VI, Compiled Laws, of 1888, relating to Post Mortem Examinations; also, An Act Amending Section 5447 of the Second Volume of the Compiled Laws of Utah Territory, Relating to the fees of Witnesses, and How the Same shall be Taxed.

I am, sir, very respectfully,

CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Permitting School Boards to Establish Kindergartens.

I am, sir, very respectfully,  
CALEB W. WEST.  
Governor.

Received.

#### REPORTS OF STANDING COMMITTEES.

##### JUDICIARY.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred the following bills:

H. B. No. 114—entitled, An Act to Tax Estates of Deceased Persons.

C. B. No. 126—entitled An Act in Relation to Dower and Succession.

C. B. No. 109—entitled, An Act Providing for Lessor's Lien.

C. B. No. 118—entitled, An Act to Release One Joint Debtor Without Discharging the Other.

C. B. No. 122—entitled, An Act to Amend Section 475, s 65, of the Compiled Laws of Utah, of 1888.

C. B. No. 111—entitled, An Act to Validate and Make Admissible in Evidence Certain Deeds, Conveyances, Mortgages, Powers of Attorney, and the Instruments Affecting Title to Real Estate, etc., beg leave to report that for want

of sufficient time in which to consider the same, they herewith return them to the House without recommendation.

VARIAN,  
Chairman of Committee.

Received, and all bills filed for third reading, except C. B. No. 111, which, on motion of Mr. Varian, was at once read third time and passed, 19 to 1, and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 111.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Moore, Parsons, Pigman, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19.

Noes—Powers—1.

Absent—Hatch, Mason, Nebeker, Sears—4.

C. B. No. 50, by Mr. Hague—A Bill for An Act Amending Section 1, Chapter LXV, Session Laws 1892, Relating to Franchises.

Mr. Allen was invited to the chair and Speaker Emery addressed the House on the bill pending.

Bill passed 20 to 1 and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 50.

Ayes—Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stoker, Tolton, Varian, Wines, Mr. Speaker—20.

Noes—Stanford—1.

Absent—Allen, Hatch, Warner—3.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I return, herewith, An Act Amending Section 2393 of the Compiled Laws of Utah, 1888, Relating to Private Corporations, with a recommendation that the following words be stricken out: the words “otherwise than by sale of his or her stock,” in the 13th and 14th lines of section 1, and the word, “whenever” in the 14th line of the same; also, the words “or that the holder thereof shall be personally liable,” in the 18th and 19th lines of Section 1; also strike out the word “heretofore” in the sixth line of Section 1, and insert in lieu thereof the word “hereafter.”

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

The bill and communication were referred to the Committee on Judiciary.

C B. No. 114, by President Breeden—To Tax Estates of Deceased Persons.

Read third time and laid on the table subject to call.

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day amended, and, as amended, has passed H. B. No. 8—Relating to the Disposal of Estrays, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council amendments to H. B. No. 8 were concurred in, Council notified and the bill sent to the Enrollment Committee.

Council Chamber,  
March 8, 1894.

Mr. Speaker—

I am directed to inform your Honorable Body that the



Council has amended, and passed as amended, H. B. 162—To Prevent Scab; ayes, 11; absent, 1; and the same is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

Council amendments to H. B. No. 162 were concurred in, Council notified and bill sent to Enrollment Committee.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day approved, and filed in the office of the Secretary, An Act to Protect Associations, Firms and Persons in Their Labels, Trade-Marks and Forms of Advertising.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has concurred in House amendment to H. B. No 28—An Act Relating to Liens of Mechanics and others and the same is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 28 sent to the Enrollment Committee.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day approved and filed in the office of

the Secretary, An Act to Amend Chapter V, of Title 13, of the Compiled Laws of Utah of 1888. in Reference to Larceny; also, An Act Reserving Exceptions to an Order Overruling a Demurrer or an Order Overruling Motion for a Non-suit.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

#### REPORTS OF STANDING COMMITTEES.

#### CONTINGENT EXPENSES.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Contingent Expense, having examined the following bills, find them correct, and recommend that they be allowed:

A. W. Caine & Co.....	\$1 00
A. W. Caine & Co.....	3 50
Total.....	<hr/> \$4 50

McBRIDE,  
Chairman.

Received, and report adopted.

Speaker Emery resumed the chair.

H. B. No. 168, by Mr. Wines—Authorizing Sale of University Lands.

Bill lost.

C. B. No. 109, by Mr. Taylor—Providing for a Lessors' Lien.

Bill lost.

C. B. No. 118, by Mr. Taylor—To Release One Joint Debtor Without Releasing the Others.

Bill lost—9 to 4.

## ROLL CALL ON PASSAGE OF C. B. NO. 118.

Ayes—Dougall, Johnson, Nebeker, Mr. Speaker—4.

Noes—Allen, Hubbard, Ivins McKay, Monson, Pigman, Powers, Stoker, Tolton—9.

Absent—Clark, Hatch, Mason, McBride, Moore, Parsons, Sears, Stanford, Varian, Warner, Wines—11.

H. Bills Nos. 154 and 151 were laid on the table.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day amended and passed H. B. No. 95—Relating to the Disposal of Estrays, by 8 ayes, and the same is herewith enclosed.

Respectfully,

P. S. SOWERS,  
Chief Clerk,

Received, and Council amendments to H. B. No. 95 were concurred in, Council notified, and bill sent to the Enrollment Committee.

Council Chamber,  
March 6, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed C. B. No. 106—To Endow the University of Utah—ayes, 9; absent, 3; which is herewith transmitted.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

C. B. No. 106 was read at length first time, second and third times by title, under a suspension of the rules, and passed, 19 to 0, and Council notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 106.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins,

Johnson, Mason, McKay, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stoker, Tolton, Wines, Speaker Emery—19.  
Noes—0.

Absent—McBride, Parsons, Stanford, Varian, Warner—5.

C. B. No. 7, by Councilor Taylor—Regulating the Practice of Dentistry.

Read third time and passed—16 to 4—and Council notified.

#### ROLL CALL ON THE PASSAGE OF C. B. No. 7.

Ayes—Hatch, Ivins, Johnson, Mason, McBride, Moore, Nebeker, Parsons, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Warner, Wines—16.

Noes—Clark, Dougall, McKay, Monson,—4.

Absent—Allen, Hubbard, Varian, Mr. Speaker—4

#### COMMITTEE ON ENROLLMENT.

Committee Room,  
March 7, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 150—An Act Relating to Practice of Medicine; also, H. J. M. No. 16—Relating to School Lands, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and President of the Council and were this day sent to the Governor, for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

Mr Stanford offered the following report from the Committee on University Lands.

#### MAJORITY REPORT OF COMMITTEE ON UNIVERSITY LANDS.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee, appointed to confer with the Com-

missioners on University Lands in relation to reports, etc., respectfully represent that said Commissioners report that there has been 24,631.51 acres of land surveyed and sold at rates varying from \$3 87 to \$4 30 per acre. The total value of sales amounts to \$103,045.10. The unsold lands amounting to 4772.71 acres appraised at \$19,603.10. The unsurveyed lands 16,436 31 acres. - Cash realized on sales, with interest paid in advance \$20,078.95. As the purchasers of University lands have nine years in which to pay the purchase price and annual payments, together with interest paid being deposited to increase the capital until the nine years expire, the interest upon principal and interest is the only money available pending the final purchase money being paid up, hence for a few years to come the revenue to be derived from these lands will materially benefit the University in the shape of revenue. The amount thus available for the present year being about one thousand dollars.

Mr. Dixon appeared before the Commissioners and your Committee, in behalf of himself and three other persons, who were represented by petition or written complaint, charging the Commissioners with having deprived them of their rights to certain University lands, located near Provo City, in Utah County. Your Committee, for the want of time and means to communicate with all the aggrieved persons, with a view to bringing them together to adjust their differences, and being also of the opinion that if there were legal grounds for complaints and legal action, it would be a matter beyond their jurisdiction to assume to adjust. We would, therefore, simply state as the result of our inquiry, your Committee believe the Commissioners have acted in good faith in the sales and disposition of all lands placed under their control, but through some persons interpreting the law as they understood it which led to a delay in their making known their wishes, which delay the Commissioners regarded as an abandonment of what slight improvements had been made on the lands they sold to other parties, hence disputations arose and charges of unfair dealing followed as the result of being too slow on one side and a little too hasty or premature in action on the other, and as the law is a little open or indefinite under which the difficulty arose, one of your Committee

has presented a bill for An Act to amend the law so that any trouble in this direction in the future, if passed, may be avoided. Your Committee are unitedly of the opinion that the Commission have aimed, in the disposition of the University lands, to deal honorably and justly by all, but when contests arise as to who are entitled to preferences, under complicated conditions, it becomes impossible to give satisfaction to all parties.

JOS. STANFORD,  
JOS. MONSON.  
Committee.

#### MINORITY REPORT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

A minority of your Special Committee on University Lands, to whom was referred the matter of certain charges preferred by citizens residing on Provo Bench against the Commissioners to locate University Lands, having had the same under consideration and investigation, report as follows:

That said Commissioners, acting in an arbitrary manner, have done a great injustice to the settlers on University lands on Provo Bench. That said settlers have been deprived of their improvements on said lands by the action of said Commissioners as aforesaid.

That said Commissioners, having no rules laid down by which contests to said lands could or should have been determined, and acting, though arbitrarily, as we think, and without due regard of the rights of others, proceeded to sell said lands to the highest bidder, comprising some 800.23 acres to a certain syndicate, at an average price of \$3 50 per acre.

Your Committee, therefore, without fully going into detail and to avoid future actions of this nature on the part of said Commissioners, and that all contests to University lands shall be decided by a court of competent jurisdiction prior to the day set for the sale of said lands, and that no lands or land shall be awarded to either party until the matter as to which said parties have settled upon, cultiva-

ted or improved any of said lands shall have been fully determined, respectfully recommend that House Bill No. 168 be passed.

WINES,  
Chairman.

Received.

On motion of Mr. Stanford, the majority and minority reports were laid on the table.

H. B. No. 168, by Mr. Wines—Relating to Sale of University Lands.

Bill passed—21 to 0.

ROLL CALL ON PASSAGE OF H. B. NO. 168.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines,—22.

Noes—0.

Absent—Powers, Mr. Speaker—2.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred the report of the Commissioners to Locate University Lands for the Territory of Utah, having examined the same, beg leave to report that we recommend that it be filed in the office of the Auditor of Public Accounts, and that the amount of \$2,531.80, due surveyors for surveying lands, together with \$5,500.00, the amount asked for by the Commission, to realize on the remaining unsold land, for the ensuing two years, making a total of \$8,031 80 be placed in the Appropriation Bill.

STANFORD,  
Chairman of Committee:

Received.



Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred H. B. No. 154—Entitled, An Act Relating to Salaries of County Officers, beg leave to report that for want of sufficient time in which to consider the same, they herewith return the said bill to the House, with the recommendation that it lie upon the table.

STANFORD,  
Chairman of Committee.

Received.

On motion of Mr. Allen, H. J. Memorials Nos. 27 and 10 were laid on the table.

On motion of Mr. Allen, H. P. No. 22 was laid on the table.

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed C. B. No. 127 (A substitute for C. Bills Nos. 104 and 97 and H. B. No. 151) by a vote of 12 ayes, and said bill is herew th enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

C. B. No. 127 was read by title first and second times, under a suspension of the rules, and referred to the Committee on Education.

#### EDUCATION.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Education, having duly con-

sidered C. B. No. 127—Relating to District Schools, beg leave to report as follows: We herewith report a Substitute, and recommend that the Substitute do pass.

ALLEN,

Chairman of Committee.

Received.

Committee Room,

March 8, 1894.

Mr. Speaker:

Your Committee on Education, having duly considered C. B. No. 82, beg leave to report as follows:

We recommend that said bill do pass.

ALLEN,

Chairman of Committee.

Received.

On motion of Mr. Allen, the consideration of C. B. No. 82 was indefinitely postponed, and Council notified.

The House consenting, Mr. Allen presented the following.

H. B. No. 170, by Committee on Education, (Substitute for C. B. No. 127 and H. B. No. 151)—Providing for Uniform System of Free Schools.

The bill was read first and second times by title, third time at length, and passed under a suspension of the rules.

The bill, as amended, passed—20 to 0—and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 170.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Stanford, Stoker, Tolton, Wines, Mr. Speaker—20.

Noes—0

Not voting—Powers, Sears, Varian, Warner—4

C. B. No. 127 was returned to the Council.

Mr. Nebeker assumed the Chair, on invitation of the Speaker.

## REPORTS OF STANDING COMMITTEES.

## CLAIMS.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred the following claims, beg leave to report as follows:

On H. C. No. 72, of Chas. Handley, for Auditor's Warrant No. 3463, for \$2.10, we recommend that the sum of \$2.10 be appropriated

On H. C. No. 59, of Kane County, for \$1,068.30, Sheriff Sevier County; H. C. No 30, for \$141.00; H. C. No. 29, of Jas. H. Lewis for \$100.00, that said claims be not allowed, as being covered by resolution adopted February 20th, 1894.

On H. C. No. 66, of L. B. Rogers, for \$93.34; H. C. No. 61, of Territorial Library. for 167.60; H. C. No. 360, of W. E. Smedley, for \$360.00, recommend that these claims be rejected as they are covered by the appropriation made to the Territorial Library.

On H. C. No. 55, of Salt Lake County, for \$1602.50, recommend that, as this has been rejected on the floor of the House, no further action be taken in the matter.

SEARS,  
Chairman of Committee.

Received, and report adopted.

## ASYLUM FOR THE INSANE.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Asylum for the Insane, to whom was referred the report of said institution, report that we

have carefully examined the same; further, that we have had an expert bookkeeper, in the person of Mr. Stayner, go to Provo and examine the accounts and books of the Asylum, and that said books and accounts were found to be in good condition, and the business of said institution conducted in a business-like manner; that the institution is kept neat and clean, and that the food served the inmates is good and wholesome.

SEARS,  
Chairman.

Received.

ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H B. No. 110—An Act Relating to the Organization of the Militia; also H B No. 163,—An Act Relating to Special School Tax; also H. B. No. 27,—An Act relating to Bounty on Canaigre Roots, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor, for his official action thereon.

Warner,  
Chairman of Committee.

Received.

The Clerk was instructed to return to the Territorial Auditor all statements from Counties.

Mr. Varian called up for third reading C. B. No. 108, by Mr. H. E. Booth—To Amend Chapter XXXI, Session Laws, 1892, 2031 and 2034, Compiled Laws.

Bill lost—11 to 9—and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 108.

Ayes—Clark, Dougall, Hatch Hubbard, Moore, Stanford, Stoker, Tolton, Varian, Warner, Wines—11.

Noes—Allen, Ivins, Johnson, Mason, McBride, Monson, Parsons, Pigman, Sears—9.

Absent—McKay, Nebeker, Powers—3.

Not voting—Speaker Emery—1.

C. B. No. 122, by Mr. Hart—An Act to Amend Section 475 s65, Compiled Laws.

On motion of Mr. Nebeker, the bill was laid on the table, subject to call.

Mr. Johnson assumed the chair on invitation of Speaker Emery.

C. B. No. 126, by Mr. John E. Booth—In Relation of Dower and Succession.

Speaker Emery resumed the chair.

Bill lost—9 to 6—and Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO 126.

Ayes—Dougall, Hatch, Johnson, Mason, Monson, Moore, Nebeker, Pigman, Mr. Speaker—9.

Noes—McBride, McKay, Sears, Stoker, Varian, Warner—6.

Absent—Allen, Clark, Hubbard, Ivins, Parsons, Powers, Stanford, Tolton, Wines—9.

C. B. No. 114, by Mr. Breeden—To Tax Estates of Deceased Persons. Bill passed, 18 to 4 and Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 114.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, McBride, McKay, Moore, Nebeker, Parsons, Pigman, Sears, Stanford, Tolton, Varian, Warner, Mr. Speaker—18.

Noes—Hatch, Mason, Stoker, Wines—4.

Absent—Monson, Powers—2.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed C. B. No. 86—A Bill Relating to Corporations—10 ayes; 2 noes; and the same is herewith enclosed for your action thereon.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 86 was read by title first and second times, under a suspension of the rules, and filed for third reading.

The Clerk was instructed to communicate with the Council and request the return of C. B. No. 109.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed C. B. No. 124—A Bill to Amend Section 1, of Chapter II, Session Laws of 1892—ayes, 11; absent, 1; also, C. B. No. 125—A Bill for An Act to Amend Section 1, Chapter LXXI, Session Laws of 1890, and the same is herewith enclosed for your action thereon.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. Bills Nos. 124 and 125 were read first and second times by title under a suspension of the rules, and filed for third reading.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that

upon the report of the Conference Committee on C. B. No. 45—An Act for the Protection of the Dairy Interests of the Territory of Utah, the Council has concurred in the House amendment to Section 1 and Section 2, and the same is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

REPORTS OF STANDING COMMITTEES.

JUDICIARY.

Committee Room  
March 8, 1894.

Mr. Speaker:

Your Committee on Judiciary, having duly considered H. B. No. 161, with the recommendation of the Governor therein, beg leave to report as follows:

The word "heretofore," in line 6 of the engrossed bill (line 3 of the printed bill,) is an error in the engrossment, which has been corrected.

That the words "otherwise than by sale of his or her stock," in lines 13 and 14 of the engrossed bill (line 7 of the printed bill,) and that the word "whenever" in line 14 of the engrossed bill (line 7 of the printed bill,) be stricken out in conformity with the suggestions of the Governor.

VARIAN,  
Chairman of Committee.

Received.

On motion of Mr. Varian, the amendments suggested by the Governor were adopted; the bill was read the first, second and third times, under a suspension of the rules, and passed, 15 to 0.

ROLL CALL ON THE PASSAGE OF H. B. No. 161.

Ayes—Allen, Hatch, Hubbard, Ivins, Johnson, Mason,



Moore, Pigman, Powers, Sears, Stanford, Stoker, Tolton, Varian, Mr. Speaker—15.

Noes—0

H. B. No. 48, by Mr. Nebeker—A Bill for An Act to Unite the University of Utah and the Agricultural College.

Mr. Ivins moved to postpone temporarily.

Motion lost.

Speaker Emery resumed the Chair.

Bill lost, 10 to 10, and title approved.

#### ROLL CALL ON PASSAGE OF H. B. NO. 48.

Ayes—Hubbard, Ivins, McKay, Monson, Moore, Powers, Stanford, Stoker, Tolton, Warner—10.

Noes—Allen, Clark, Dougall, Mason, Nebeker, Parsons, Sears, Varian, Wines, Mr. Speaker—10.

Absent—Hatch, Johnson, McBride, Pigman—4.

Mr. Nebeker gave notice of reconsideration of vote on H. B. No. 48.

#### COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act for the Relief of School Districts That Have Failed to Levy a Special School Tax.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, A Resolution Authorizing the Territorial Treasurer to Furnish Free Public Libraries, Free of Cost, Bound Copies of the Laws of Utah.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

COMMUNICATIONS FROM THE AUDITOR.

TERRITORY OF UTAH,  
Auditor's Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly of Utah:

Dear Sir—I have the honor to forward, herewith, the Financial Statement of Piute County, for the year ending December 31, 1893, which has this day been filed in my office.

Very respectfully,  
JOHN T. CAINE,  
Auditor of Public Accounts.

Received.

REPORTS OF STANDING COMMITTEES.

CLAIMS.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Claims and Public Accounts found

it impossible to personally check up the books of the public institutions of the Territory, and in pursuance of resolution adopted on February 20, 1894, engaged the services of Mr. Arthur Stayner, who, in connection with one of the regular committee clerks of the House, has checked up the books of the Territorial Auditor, the Territorial Treasurer, the Insane Asylum and the Agricultural College. Mr. Stayner reports the books of the officers and institution named to be in good condition and well kept and vouchers on file, for all disbursements.

SEARS,  
Chairman of Committee

Received.

Mr. Sears asked, and was granted, leave to present the following:

*Resolved*, That the financial statements of the counties now on file be printed in the Journal of this House.

Amended by Mr. Tolton to be made an appendix to the Journal.

Resolution adopted.

On request of Mr. Johnson, the Clerk was instructed to ask Council for the return of C. B. No. 108.

H. B. No. 117, by Mr. Allen—Relating to Payment of Witness and Jury Fees, etc., as amended by the Council, was read at length.

The amendments were not concurred in, and the Council was notified.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 170, (Substitute for C. B. No. 127—) An Act to Amend Chapter LXXX of Session Laws of 1892, by a vote of 10 ayes, 2 absent, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 170 was sent to the Enrollment Committee.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, A Memorial to the Senate and House of Representatives, Praying That Congress Pass An Act Validating Certain Laws of this Territory, Providing for the Leasing of Sections 16 and 36 in each Township in this Territory; and all Leases Thereunder.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

H. B. No. 165—By Committee on Education—Relating to Tuition in Certain Schools.

Bill passed—16 to 6. Title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 165.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, Parsons, Powers, Sears, Stanford, Tolton, Varian, Warner, Wines, Mr. Speaker—16.

Noes—Hubbard, Ivins, Monson, Moore, Nebeker, Stoker—6.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day approved and filed in the office of

the Secretary, An Act to Validate and make Admissible in Evidence Certain Deeds, Conveyances, etc.; also, An Act amending Section 1, Chapter LXV, Session Laws of 1892.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed, unanimously, H. C. R. No. 8, and the same is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. B. No. 147—To Encourage the Establishment of Certain Manufacturing Institutions, etc.—ayes, 7; noes, 4; absent, 1; and it is herewith returned.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and H. B. 147 was sent to the Committee on Enrollment.

Mr. Varian assumed the Chair.

H. B. No. 111, by Mr. Powers—Providing for a New Section of the Code of Civil Procedure, Relating to Appeals etc.

Bill, as amended, passed, 18 to 2, and title approved.

ROLL CALL ON PASSAGE OF H. B. NO. 111.

Ayes—Allen, Clark, Dougall, Hatch. Hubbard, Ivins,

Johnson, Mason, McBride, Monson, Moore, Nebeker, Parsons, Powers, Stanford, Stoker, Tolton, Warner—18.

Noes—Varian, Wines—2.

Excused—McKay—1.

Absent—Pigman, Sears, Mr. Speaker—3.

Speaker Emery resumed the chair.

C. B. No. 94, by John E. Booth—To Relieve Irrigation Companies.

Bill lost, 16 to 4, and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 94.

Ayes—Clark, Johnson, McKay, Wines—4.

Noes—Allen, Dougall, Hatch, Hubbard, Ivins, Mason, Monson, Moore, Nebeker, Parsons, Powers, Sears, Stanford, Stoker, Tolton, Warner—16.

Absent—McBride, Pigman, Varian, Mr. Speaker—4.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that according to your request, herewith enclosed C. B. No. 108—An Act to Amend Chapter XXXI, Session Laws of 1892, for your consideration.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

The House consenting, a reconsideration of the vote on C. B. No. 108 was taken.

C. B. No. 108 was passed, 19 to 3, and the Council was notified

ROLL CALL ON PASSAGE OF C. B. NO. 108.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Johnson,

Mason, McKay, Moore, Parsons, Pigman, Sears, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—19.

Noes—Monson, Nebeker, Powers—3.

Not voting—Ivins, McBride—2.

# COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has passed H. C. R. No. 6, extending a vote of thanks to James B. Bloor, Public Printer, by 12 ayes, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that according to your request, I herewith enclose C. B. No. 109—Providing for a Lessor's Lien.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion, the vote on C. B. No. 109 was reconsidered.

The bill was read at length and passed, 17 to 4, and the Council was notified.

# ROLL CALL ON PASSAGE OF C. B. NO. 109.

Ayes—Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Moore, Nebeker, Parsons, Powers, Sears, Tolton, Varian, Wines, Mr. Speaker—17.

Noes—Hatch, Monson, Stanford, Warner—4.

Absent—Allen, Stoker—2.



## REPORTS OF STANDING COMMITTEES.

## MUNICIPAL CORPORATIONS.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Municipal Corporations, having duly considered C. B. No. 116, beg leave to report as follows: We recommend that said bill do not pass.

JOHNSON,  
Chairman.

Received, and, on motion, the enacting clause of C. B. No. 116 was stricken out.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that, according to C. R. No. 12—Asking the return from the Governor of C. B. No. 88—For An Act Regulating the Sale of Intoxicating Liquors, and that the Council has amended the same by adding in line 2, Section 2, after the words “dispose of” the words “for gain,” and the same is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion, C. B. No. 88 was read the first, second and third times, under a suspension of the rules, and passed, as amended—16 to 3—and the Council was notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 88.

Ayes—Allen, Clark, Hatch, Hubbard, Ivins, Johnson, Mason, McKay, Monson, Moore, Parsons, Sears, Stanford, Varian, Wines, Mr. Speaker—16.

Noes—Nebeker, Powers, Tolton—3.

Absent—Dougall, McBride, Pigman, Stoker, Warner—5.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day amended and passed H. B. No. 125—An Act To Prevent Exposure for sale of Unwholesome Meats, etc., by a vote of 7 ayes, 3 noes, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

The Council amendments to H. B. No. 125 were not concurred in, and the Council was notified.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. B. No. 140—An Act Regulating the Inspection and sale of Oils, by a vote of 10 ayes 1 no, and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 140 was laid on table, subject to call.

H. C. R. No. 9, by Mr. Allen—Asking that Certain Amendments to H. B. No. 140 be made.

C. B. No. 86, by Mr. Taylor—Relating to Corporations. Bill read the third time and lost—13 to 0—and the Council was notified.

Mr. Varian assumed the Chair.

## ROLL CALL ON PASSAGE OF C. B. NO. 86.

Noes—Allen, Clark, Hubbard, Ivins, Johnson, Mason, McKay, Parsons, Sears, Stanford, Varian, Wines, Mr. Speaker—13.

Absent—Dougall, Hatch, McBride, Monson, Moore, Nebeker, Pigman, Powers, Stoker, Tolton, Warner—11.

C. B. No. 124, by Mr. Adams—To Amend the Session Laws.

Bill lost—11 to 0—and the Council notified.

## ROLL CALL ON PASSAGE OF C. B. NO. 124.

Ayes—0.

Noes—Allen, Hubbard, Ivins, Johnson, Mason, McKay, Parsons, Stanford, Tolton, Varian, Wines—11.

Absent—Clark, Dougall, Hatch, McBride, Monson, Moore, Nebeker, Pigman, Powers, Sears, Stoker, Warner, Mr. Speaker—13.

C. B. No. 125, by Mr. Adams—Amending Section 1, Chapter LXXI, Session Laws of 1892.

Bill lost—17 to 0—and the Council notified.

## ROLL CALL ON PASSAGE OF C. B. No. 125.

Ayes—0.

Noes—Allen, Dougall, Hatch, Hubbard, Ivins, Johnson, McBride, McKay, Moore, Parsons, Powers, Sears, Stanford, Stoker, Tolton, Varian, Wines—17.

Absent—Clark, Mason, Monson, Nebeker, Pigman, Warner, Mr. Speaker—7.

C. B. No. , Substitute for H. B. No. 44—Relating to School Fund and School Lands.

Bill lost—11 to 7—and Council notified.

## ROLL CALL ON PASSAGE OF H. B. NO. 44.

Ayes—Allen, Johnson, McKay, Parsons, Sears, Stoker, Wines—7.

Noes—Dougall, Hatch, Hubbard, Ivins, McBride, Moore, Nebeker, Powers, Stanford, Tolton, Warner—11.

Absent—Clark, Mason, Monson, Pigman, Mr. Speaker—5.

Excused—Varian—1.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed C. B. No. 92—A Bill in Relation to Revenue; by 8 ayes, 4 noes, and the same is hereby enclosed for your action.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 92 was filed for third reading.

C. B. No. 129, by Mr. Williams—Providing for the Disposition of World's Fair Exhibits, etc.

Bill passed, 19 to 0.

ROLL CALL ON PASSAGE OF C. B. NO. 129.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, McBride, McKay, Monson, Moore, Nebeker, Parsons, Powers, Sears, Stanford, Stoker, Tolton, Wines—19.

Absent—Mason, Pigman, Varian, Warner, Mr. Speaker—5.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council adheres to its amendment to H. B. No. 117—A Bill in Relation to Jurors, Witnesses and Phonographic Reporters, and have appointed as a Conference Committee, H. E. Booth and C. H. Hart, and said bill is enclosed for your further action; also, that the Council concurs in the amendment of the House to H. B. No. 161—An Act Amending Section 2393, Compiled Laws of Utah, and the same is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

H. B. No. 161 was sent to the Committee on Enrollment.

The Chair named as the House Conference Committee on H. B. No. 117, Messrs. Tolton and Allen.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council adheres to its amendment to H. B. No. 121—Requiring Railroads to Post Notices, etc. and the same is herewith returned for your further action.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

The Council was asked to appoint a Conference Committee, and the Chair named as the House Conference Committee on H. B. No. 121, Messrs. Mason and Johnson, and the Council was notified.

C. B. No. 128, by Councilor John E. Booth—Relating to Revenue and Defining the Duties of Courts, etc.

Bill passed, 18 to 0, and the Council was notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 128.

Ayes—Allen, Clark, Dougall, Hatch, Ivins, Johnson, McBride, McKay, Monson, Moore, Nebeker, Parsons, Powers, Sears, Stanford, Stoker, Tolton, Wines—18.

Absent—Hubbard, Mason, Pigman, Warner, Mr. Speaker—5.

Noes—0.

Excused—Varian—1.

#### REPORTS OF STANDING COMMITTEES.

#### ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment to whom was referred

H. B. No. 95—An Act Relating to the Disposal of Estray Animals for Trespass; also, H. B. No. 8—An Act Relating to Disposal of Estray Animals; also, H. B. No. 162—An Act Relating to Scab and Other Diseases in Sheep, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor, for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has amended, and, as amended, passed H. B. No. 167—Making Appropriations for General Purposes—ayes, 11; noes, 1, and it is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

The House refused to concur in the Council amendments, and the Council was notified.

On motion of Mr. Varian, a Committee of Conference, three in number, was appointed, consisting of Messrs. Varian, Parsons and Ivins, in reference to H. B. No. 167.

The Clerk was instructed to ask the Council for a like Conference Committee.

Resolution No. 26, by Mr. McBride.

*Resolved.* That the Sergeant-at-Arms of the House is hereby authorized and ordered to pay to the Committee Clerks of the House the sum of \$56, to be divided equally between them, out of the contingent expense fund, as the balance of their compensation, contemplated in H. J. R. No. 1, but not appropriated in H. B. No. 1.

Adopted.

## REPORTS OF STANDING COMMITTEES.

## ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 147—An Act relating to Exempting Manufactories, etc., from Taxation; also, H. B. No. 170—An Act relating to System of Public Schools, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor, for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

## COMMUNICATIONS FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Provide for the Organization and Government of the Territorial Militia, and entitled the Military Code of Utah.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of



the Secretary of the Territory, An Act amending An Act, entitled An Act Providing for the Disposal of Estrays and Animals for Trespass and Damage, approved March 10, 1892.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that on the order of the Council, on the report of the Conference Committee, H. B No. 121 is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day approved and filed in the office of the Secretary, An Act Authorizing the Endowment of the University of Utah; also, An Act Regulating the Practice of Dentistry in the Territory of Utah; also, An Act regulating the Sale of Intoxicating Liquors.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed, as amended by the House, H.

B. No. 140—An Act Regulating the Sale, etc., of Oils, etc., by a vote of 10 ayes, 1 no; also, H. B. No. 168—An Act to amend Chapter LXII, Session Laws of 1892, by a vote of 10 ayes; and that the Council has appointed as a Conference Committee on H. B. 121, Councilors John E. Booth and C. N. Lund.

Also, that the Council has amended and passed H. B. No. 111—Providing for a New Section to the Code of Civil Procedure, by a vote of 11 ayes, and that said bills, as passed by the Council, are herewith enclosed.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and H. B. Bills Nos. 140 and 168 were sent to the Enrollment Committee.

H. B. No. 111 was filed.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council, on the report of the Conference Committee, has receded from its amendment to Section 3, of H. B. No. 117—Providing for the Payment of Witnesses, Jurors, etc., and the same as herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received.

#### REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Conference, to whom was referred H. B. No. 117, beg leave to report that we have this day met a like committee from the Council, and that the Council has receded from its amendments.

J. F. TOLTON,  
C. E. ALLEN.

Received.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that upon the report of the Conference Committee on H. B. No. 133, Substitute for H. B. No. 80—A Bill to provide for the Protection of Fish and Game, the Council receded from its amendment, and the same is herewith returned for your further action.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 133, as amended, was sent to the Committee on Enrollment.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day amended and passed H. B. No. 165—A Bill Relating to Tuition in Certain Territorial Educational Institutions—ayes, 12; noes, 0; and the same is herewith returned for your action.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 165 was filed temporarily.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council passed C. B. No. 90 (Substitute)—For An Act Repealing Chapter XXII, Session Laws of 1892, Relating to Notaries Public—ayes, 10; absent, 2.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

On motion, the C. B. No. 90 (Substitute) was read the first and second times by title, and placed on its third reading under a suspension of the rules.

Bill passed, 20 to 0, and the Council was notified.

ROLL CALL ON PASSAGE OF SUBSTITUTE FOR C. B. NO. 90.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Pigman, Powers, Stanford, Stoker, Tolton, Varian, Warner, Wines, Mr. Speaker—20.

Absent—Hatch, Nebeker, Parsons, Sears—4.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day appointed Councilors John E. Booth and Lund to confer with such Committee as you may appoint, regarding the House's non-concurrence in H. B. No. 125—Concerning the Exposure of Unwholesome or Diseased Meats, etc.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and the chair named Messrs. Nebeker and Pigman as the House Committee.

The House received a communication from the Committee on Enrollment, in reference to certain errors in enrolling H. B. No. 150, which had been sent to the Governor. The Clerk was instructed to send the communication to His Excellency and requesting return of the bill.

## REPORTS OF STANDING COMMITTEES.

## CONTINGENT EXPENSES.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Contingent Expenses, having examined the following bills, find them correct, and recommend that they be allowed:

The Richfield Advocate.....	\$ .75
Utah Book and Stationery Co.....	.55
Total .....	\$1.30

McBRIDE,  
Chairman.

Report adopted.

H. B. No. 111, by Mr. Powers.

The Council amendments were concurred in and the bill was sent to the Enrollment Committee.

## COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Amend Chapter LXII Session Laws of 1892, Authorizing the Sale of University Lands.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Creating the County of Carbon, and Prescribing Its Boundaries.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I return herewith, An Act Regulating the Practice of Medicine in the Territory of Utah, with a recommendation that the following changes be made therein: Strike out the word "licenses" in the ninth line of Section 2, and insert in lieu thereof the word "diploma;" also, add after the word "standing" at the end of the ninth line of Section 2, the following words: "and pass a satisfactory examination before said Board;" also, strike out the word "to" in the tenth line of Section 2, and insert in lieu thereof the word "of;" also, insert the word "examined" between the word "certificates" and the word "and" in the eleventh line of Section 2; also, at the end of Section seven (7) add the following words: "and the Board of Medical Examiners may refuse to issue the certificates provided for in this Act to individuals guilty of immoral or dishonorable conduct, the nature of which shall be stated in writing, and it may revoke such certificate for like causes. In all cases of refusal or revocation the applicant may appeal to the Chief Justice of the Territory, who may affirm or overrule the decision of the Board;" also, strike out all of Section 14, after the word "colleges" in the second line of said Section, and sub-

stitute in lieu thereof the words, "in good standing in the States where they exist."

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received, and, on motion, the recommendation of the Governor was referred to the Committee on Public Health.

#### REPORTS OF STANDING COMMITTEES.

#### ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 133—An Act relating to Protection of Fish and Game; also, H. B. No. 140—An Act relating to Regulating the Inspection and Sale of Oil; also, H. B. No. 168—An Act relating to University Lands, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

#### COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Regulating the Inspection and Sale of Oils for Illuminating Purposes.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.



The House consenting, Mr. Sears offered the following:

*Resolved*, That the thanks of this House be and the same are hereby extended,

First—To the Hon. Charles C. Richards, Secretary of the Territory, for the many favors extended by him to the members, and especially for the furnishing of convenient and commodious quarters for the use of this body;

Second—To J. R. Letcher, Chief Clerk of the House in the Thirtieth Session, for his services in opening the present session;

To the Speaker of the House, for the very able and courteous manner in which he has discharged the arduous duties devolved upon him; and, also, to the Chief Clerk, C. E. Stanton, and all the officials of this body for the efficient services rendered by them in the discharge of their respective duties, during the session now about to close.

Adopted.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day appointed Councilors Eldredge, Hague and Hart to confer with regard to H. B. No. 167.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

COMMUNICATIONS FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Amend An Act

entitled An Act Providing for the Disposal of Estray Animals, and for Trespass and Damage, approved March 10, 1892, and to repeal Sections 6 to 14, inclusive, of said act.

I am, sir, very respectfully,

CALEB W. WEST,

Governor.

Received.

TERRITORY OF UTAH,

Executive Office,

Salt Lake City,

March 8th, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Providing for a New Section of the Code of Civil Procedure Providing for Appeals from Justice's Court to the District Court.

I am, sir, very respectfully,

CALEB W. WEST,

Governor.

Received.

TERRITORY OF UTAH,

Executive Office.

Salt Lake City,

March 8th, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have returned herewith An Act to Establish Free Public Employment Offices. The Act is a good one, and, if efficiently administered, should it become a law would be of great benefit to our people. It imposes upon the Secretary of the Territory important duties, requiring the exercise of intelligent and careful consideration and action. The gratuitous duties proposed to be imposed by the bill are sufficiently onerous without expecting of him to supply the necessary stationery, records, postage and to personally carry on the voluminous correspondence absolutely necessary to a complete and satisfactory execution of the law. The amount appropriated by the bill is limited to

printing and is barely, if indeed, sufficient for that purpose. To give such effect to the measure as the Assembly contemplates would necessitate the purchase of stationery, blanks, books, postage, etc., as well as the employment by the Secretary of such assistant or clerk as would not only be able, under his supervision and direction, to do the clerical work, but of sufficient capacity to appreciate the important character of his duties and in aid of making the law effective.

To cover this expense, which would be necessary and continuing, no appropriation is provided. It is reasonably estimated that the clerical work would cost one hundred dollars per month, or \$2,400 for two years, and that the stationery, records and postage for the same period would cost \$500 in addition to the amount for printing provided for in this bill.

If the act is so amended, I will be pleased to approve the measure.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received,

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day adopted the report of the Conference Committee, consisting of Councilors Alma Eldredge, C. H. Hart, and Representatives C. S. Varian, M. K. Parsons and A. W. Ivins, on the subject of the amendments made to H. B. No. 167—Making Appropriations for General Purposes, and, as amended, passed the same—ayes, 9; noes, 2; absent, 1; and the same is herewith delivered to you in person.

Respectfully,  
P S. SOWERS,  
Chief Clerk.

Received.

## CONFERENCE REPORT ON H. B. NO. 167.

Committee Room,  
March 8, 1894.

Mr. Speaker:

We, your Joint Committee on Conference, appointed for the purpose of considering the amendments to H. B. No. 167, and the differences between the respective Houses thereon, beg leave to report as follows:

We recommend that the House do not concur in, and that the Council recede from the amendment to line 15 of Section 1, in the printed bill, and that, instead of \$17,042.19 both Houses insert \$15,042.92.

That the House concur in Council amendment indicated in red ink on line 22, Section 1 of the printed bill.

That the Council recede from and the House non-concur in the Council amendment striking out House amendment at line 23 of Section 1 of the printed bill, in a rider attached thereto, and recommend that the words "above provided" in line 10, Section 2, be stricken out, and in lieu thereof the word "follows," and the House amendment on the rider to line 23 of Section 1 above mentioned to be inserted with necessary grammatical changes.

That the Council recede from and the House non-concur in Council amendment after House amendment in line 10, Section 2, as indicated by Council rider in red ink annexed to the printed bill, relative to discharged prisoners.

That the House concur in and the Council adhere to Council amendment in line 5½ of Section 3 of the printed bill, relative to rent of the Board of Equalization, indicated by rider in red ink.

That the Council recede from and the House non-concur in Council amendment in lines 11 and 12, Section 3, relative to attorney for Auditor.

That the Council adhere to and the House concur in Council amendment indicated by rider in red ink between lines 20 and 21, Section 3, relative to surveys of University Lands, and that "1892," as it appears the second time in second line of amendment, be changed to "1893."

That the Council recede from and the House non-concur in Council amendment in line 24, Section 3, and recommend that \$1,800 be inserted in place of \$2,400.

That the Council adhere to and the House concur in Council amendment in line 22, Section 3, relative to salary of Treasurer.

That the Council recede from and House non-concur in amount "\$8,000.00," indicated by Council rider after line 24, Section 3, and recommend that \$6,000.00 be inserted in lieu thereof, and that in the same line of the rider amendment, in lieu of \$2,000.00 insert \$1,500.00.

That the House concur in Council amendment in line 25 of Section 3.

That the House concur in Council amendment in line 7, Section 4, inserting "\$1,200.00" instead of "\$1,500.00."

That the Council recede from and the House non-concur in Council amendment between lines 7, 8 and 9, Section 4, relative to indexing Auditor's books.

That Council adhere to and House concur in Council amendment in line 9, Section 4, relative to indexing minutes.

That Council recede from and House non-concur in Council amendment in line 12, Section 4, inserting "\$1,500.00" instead of "\$2,000."

That the Council recede from and the House non-concur in Council amendment relative to witness and jurors' certificates, indicated by rider between lines 48 and 49 of Section 5.

That the council recede from and the House non-concur in the Council amendment in line 50, Section 5, inserting "\$1,500," instead of \$1,000, for attorney for auditor, and recommend that lines 51, 52 and 53 be all stricken out, the same in part being stricken out by Council amendment.

That the Council recede from and the House non-concur in the Council amendment striking out the House amendment relative to the claim of A. J. Burt, indicated by the House rider annexed at lines 54 and 55 of Section 5.

That Council adhere to and House concur in Council amendments relative to claims of Joyce and Condon, in lines 54 and 55, Section 5.

That Council adhere to and House concur in Council amendment at line 56, Section 5, inserting "\$100" instead of \$177.50.

That Council recede from and House non-concur in Council amendment indicated by rider at end of Section 5,

being \$4,176 in favor of Provo Lumber, Moulding & Building Co.

That the Council recede from and the House non-concur in the Council amendment in line 9½, Section 6, relative to maps and plats for Salt Lake County.

ALMA ELDREDGE,  
CHARLES H. HART,  
ALMA HAGUE,

For the Council.

C. S. VARIAN,  
M. K. PARSONS,  
A. W. IVINS,

For the House.

Received.

Mr. Varian moved to adopt the report.  
Carried.

On motion of Mr. Varian H. B. No. 167 was sent to the Enrollment Committee, on the following roll call:

#### ROLL CALL ON PASSAGE OF H. B. NO. 167.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Parsons, Pigman, Sears, Stoker, Tolton, Varian, Wines, Mr. Speaker—21.

Noes—Powers, Stanford, Warner—3.

C. B. No. 92—By Mr. John E. Booth—Relating to Revenue and Repealing Certain Laws.

Bill passed—14 to 10—and Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 92.

Ayes—Allen, Dougall, Hatch, Mason, McBride, McKay, Parsons, Pigman, Sears, Stanford, Varian, Warner, Wines, Mr. Speaker—14.

Noes—Clark, Hubbard, Ivins, Johnson, Monson, Moore, Nebeker, Powers, Stoker, Tolton—10.



## REPORTS OF STANDING COMMITTEES.

## ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 139—An Act relating to Labor on Public Roads, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

H. B. No. 166—By Committee on Penitentiary and Reform School, Substitute for H. J. R. No. 13—Relating to Military Academy and Reform School, etc.

Mr. Allen assumed the chair on the invitation of Speaker Emery.

Bill lost—13 to 8.

## ROLL CALL ON PASSAGE OF H. B. NO. 166.

Ayes—Hubbard, McKay, Monson, Moore, Nebeker, Powers, Stanford, Warner—8.

Noes—Allen, Clark, Dougall, Hatch, Ivins, Johnson, McBride, Parsons, Pigman, Sears, Stoker, Varian, Wines, —13.

Absent—Mason—1.

Excused—Tolton—1.

Mr. Sears moved that H. C. No. 73, Claim of commissioners to Locate University, for \$900, be referred to the Committee on Claims, without reading.

Mr. Ivins moved to lay it on the table.  
Motion lost.

H. C. No. 73 was referred to the Committee on Claims.

H. B. No. 150—The Select Committee verbally reported



favorably on the amendments made in compliance with suggestions of the Governor.

Before final disposition, the following communication from the Governor, in relation to H. B. No. 117, was here read:

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—H. B. No. 117—An Act for the Payment of Jurors, Witnesses and Phonographic Reporters, and Creating and Defining the Duties of Court Commissioners, is herewith returned without approval. To the bill, in its present form, there is an insuperable objection. The Organic Act of this Territory is our fundamental law. Among other things, it defines the duties and limits the powers of the different departments of the Legislative Assembly. By the provisions of Sec. 7 of the Organic Act, "All township, district and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Utah. The Governor shall nominate, and by and with the advice and consent of the Legislative Council, appoint all officers not herein provided for."

This bill seeks to create the offices of Court Commissioners in and for the Territory, and these offices, as defined in the bill, are Territorial in their character.

Under the decision of *McCornick vs. Thatcher*, 8 Utah Reports, 301, there can be no question but what the creation of an "office" is contemplated. For the disbursement of a portion of the public funds, gathered by the general Territorial tax, this measure creates the offices of "Court Commissioners." The duties of the persons filling such offices are to disburse Territorial moneys for Territorial purposes, and to the Territory are they responsible for per-

formance of the duties defined in the bill. The case above cited, as well as that of the Territory vs. Clayton, 132 U. S., invincibly establishes the proposition that a "Court Commissioner" is a Territorial officer.

The serious objection to this bill is found in the fact that it contravenes the provisions of Section 7, above mentioned. "In Clayton vs. Utah Territory, supra, it was held by \* \* the Supreme Court of this Territory, and afterwards affirmed by the Supreme Court of the United States \* \* that the Legislature of the Territory had the power to create the offices of the Auditor of Public Accounts and Treasurer of the Territory, but could not provide the mode of their appointment." Unquestionably the Legislature has the power to create the offices provided in H. B. No. 117, but the highest tribunal of our country has decided that the prerogatives of the Governor are invaded when the Legislature attempts to "provide the mode" of filling them.

This bill attempts to deprive the Executive of the Territory of the power to nominate officers clearly Territorial in their callings, and is contravention of the provisions of the section of our Organic Act above referred to.

It can be no answer to this that the offices of Court Commissioners are now in existence under previous enactment. This bill treats the present law as having expired by limitation and seeks to re-enact most of its provisions. Nor is it an answer to the position taken to say that the Executive in the past surrendered his right and allowed a similar measure to become law. Long years of acquiescence in a wrong ought not to be pleaded as an estoppel when the right is demanded.

It is a matter of sincere regret that a question which for many years provoked bitter discussion should now arise to revive issues which have been settled and passed to the region of finality. It is no captious spirit which leads me to thus call your attention to the rights of the Executive, for the Governor of the Territory is the servant of the people. But as a co-ordinate branch of the Legislature he has prerogatives which no loyal citizen ought to demand him to relinquish, and which, with a proper sense of self respect, he could not surrender. Most of the provisions of this bill meet my hearty approval and, if Section 11 is so amended

as to remove the objections above indicated, it will give me much pleasure to approve the bill.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

REPORT OF CONFERENCE COMMITTEE IN RELATION TO  
H. C. NO. 5.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on H. C. Resolution No. 5, having duly considered the subject matter therein contained, beg leave to report as follows: We have had conference with the Mayor and City Council thereon, Lots 8, 9 and 10, Block 2, Plat K, Salt Lake City Survey, will be deeded to the Territory for the site of the Executive Mansion, and recommend that the said lots be accepted for site of the Executive Mansion.

E. W. TAYLOR,  
P. L. WILLIAMS,  
For the Council.  
M. K. PARSONS,  
C. P. MASON,  
For the House.

Report filed.

REPORT OF STANDING COMMITTEE.

CONTINGENT EXPENSES.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Contingent Expense, having examined the accounts of the Sergeant-at-Arms and of C. R. McBride, Chairman of the Committee on Contingent Expense, beg leave to report that they find the same to be

correct, and after paying all claims there remains in the hands of the Sergeant-at-Arms (as shown by the statements herewith submitted) \$143.27, which your Committee have ordered returned to the Territorial Treasurer.

MCBRIDE,  
Chairman.

Committee Room,  
March 8, 1894.

*Statement of the Sergeant-at-Arms of the House of Representatives of the Utah Legislature.*

RECEIPTS.

Cash from Contingent Expense Fund.	\$800 00	
" " " " "	467 00	—\$1,267 00

DISBURSEMENTS.

W. H. Clayton	\$ 4 00
A. H. Nash	88 00
Utah Book and Stationary Company	147 20
The Journal Publishing Company	3 60
" " " "	60
The Evening Sun	7 80
The Utonian	2 00
The Standard Publishing Company	9 00
The Post Office (stamps)	5 00
The Enquirer Company	14 00
Alex. Wallace	1 50
The Pyramid	50
Salt Lake News Co.	21 50
The Dispatch	2 00
J C. Murphy & Co	7 00
Tribune Co.	1 50
Deseret News Pub. Co.	81 50
Deseret News	48 00
The Herald Pub. Co.	54 00
The Tribune Pub. Co.	52 00
Gotlieb Blusch	1 50
The Post Office	60 00

Western Hardware Co .....	75	
Utah Book and Stationary Co .....	1 15	
Utah Book and Stationary Co .....	19 13	
A. H. Nash P. M. ....	5 50	
Arthur Stayner .....	45 00	
Alex. Wallace.....	3 00	
Docket Clerk .....	136 00	
Janitor .....	240 00	
Don J. Shields (Page) .....	60 00	\$1,123 73
<hr/>		<hr/>
Balance cash returned to the Territorial Treasurer .....		\$ 143 27

*Statement of Receipts and disbursements by C. R. McBride,  
as Chairman of the Contingent Expense Committee:*

RECEIPTS.

Cash drawn from Contingent Expense Fund .....	\$110 00
Cash drawn from Contingent Expense Fund .....	109 20

DISBURSEMENTS.

Star Printing Co.....	\$ 5 00
Pacific Lumber Co.....	7 00
W. B. Barber.....	1 00
Star Printing Co.....	44 40
A. W. Caine .....	1 00
A. W. Caine .....	3 50
The Richfield Advocate....	75
Utah Book and Stationary Co.....	55
F. M. Lyman, Jr., Committee Clerk.....	28 00
——— Paradise, Committee Clerk .....	28 00
C. E. Stanton, Chief Clerk of the House.	50 00
P. S. Sowers, Chief Clerk of the Council	50 00
<hr/>	
	\$ 219 20

MCBRIDE,  
Chairman.

H. B. No. 150, relating to the practice of medicine, as amended, passed, 18 to 1, title approved:

ROLL CALL ON PASSAGE OF H. B. NO. 150.

Ayes—Allen, Clark, Dougall, Hatch, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Moore, Nebeker, Parsons, Sears, Stanford, Stoker, Warner, Wines—18.

Noes—Varian—1.

Absent—Monson, Pigman, Powers, Tolton Mr. Speaker—5.

Mr. Tolton offered the following resolution:

HOUSE RESOLUTION.

*Resolved*, That the Secretary of the Territory is hereby requested to furnish to each member of the House, and the Chief Clerk thereof, a bound copy of the House and Council Journal and the Session Laws of the Thirty-first Legislative Assembly, as soon as the same shall have been compiled.

Adopted.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day received back from the Governor C. B. No. 128—An Act in Relation to Revenue, etc. with the following amendments suggested, viz:

In Section 5, that the date fixed therein as July 15 be changed to August 1, in each year.

In Section 6, where it reads "That the County Courts of the several Counties," should be "That the County Clerks of the County Courts of the several Counties," and that August 1 in said section be changed to August 15.

The Council has amended the bill accordingly, passed it and sends it herewith.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and C. B. No. 128, as amended, passed, 16 to 0, and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 128

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride McKay, Moore, Nebeker, Parsons, Pigman, Stanford, Stoker, Warner—16.

Noes—0.

Excused—Sears—1.

Absent—Hatch, Monson, Powers, Tolton, Varian, Wines, Speaker Emery—7.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day amended and passed, according to the recommendation of the Governor, C. B. No. 109, An Act providing for a lessor's lien, and the same is herewith enclosed for your action. The Governor assigns the following reasons:

"This is new legislation in our Territory, and the bill purposes not only a civil remedy for lessors, but seeks to make crimes out of what might be innocent acts. The bill, in my judgment, affords ample protection to lessors without the penal provisions of Section 3. If this section is eliminated from the bill, I shall be pleased to approve the bill. I am, sir, very respectfully, Caleb W. West.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received, and C. B. No. 109, as amended, passed—16 to 0—and Council notified.

ROLL CALL ON PASSAGE OF C. B. NO. 109.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McKay, Nebeker, Parsons, Pigman, Sears, Stoker, Varian, Mr. Speaker—15.



Absent—Hatch, McBride, Monson, Moore, Stanford,  
Tolton, Warner, Wines—8.

Excused—Powers—1.

REPORTS OF STANDING COMMITTEES.

CLAIMS.

Committee Room,  
March. 8, 1894,

Mr. Speaker:

Your committee on Claims and Public Accounts, having duly considered Claim No. 73, of F. A. Mitchell et al, beg leave to report as follows: That said claim reached the Committee during the last hours of the Thirty-first session, and could not receive the consideration it should have, and for this reason the Committee recommend that the same be not allowed.

SEARS,  
Chairman.

Adopted.

COMMUNICATIONS FROM THE GOVERNOR.

Territory of Utah,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of  
Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office  
of the Secretary of the Territory, An Act for the Prevention  
of Scab and Other Diseases Among Sheep.

I am, sir, very respectfully,

CALEB W. WEST,  
Governor.

Received.

Territory of Utah,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Repeal Subdivision 3 of Section 2264, of the Compiled Laws of Utah of 1888, in Relation to the Befouling of Waters:

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory—An Act to Require Railroad Corporations to Post Notices of Description and Number of Stock Killed and Injured.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Amend Chapter LXXX of the Session Laws of 1892, entitled, An Act to

Provide for a Uniform System of Free Schools Throughout Utah Territory.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day adopted the report of the Conference Committee on H. B. No. 123, A Bill to Prevent the Exposure and Sale of Unwholesome Meats, etc., and passed the same by a vote of 7 ayes, and 1 nay, and the same is herewith returned for your further action.

Respectfully,  
P. S. SOWERS  
Chief Clerk

Received and H. B. No. 125 was sent to the Committee on Enrollment.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that His Excellency, the Governor, has approved and filed in the office of the Secretary of the Territory—An Act to amend Section 1, Chapter 51, Session Laws, 1892.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed, as amended by the House, C. B.

No. 92—A Bill in Relation to Revenue, by a vote of 7 ayes,  
5 noes.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

Council Chamber.

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day received notice that the Governor has approved and filed with the Territorial Secretary, An Act Providing for Boards of Education in Cities of the first and second classes, assessing School Taxes.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received:

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day approved and filed in the office of the Secretary of the Territory, An Act to Protect the Dairy Interests of the Territory of Utah; also, An Act Repealing Chapter XXII, Session Laws of 1892, relating to Notaries Public.

Respectfully,

P. S. SOWERS

Chief Clerk:

Received.

#### COMMUNICATIONS FROM THE GOVERNOR

TERRITORY OF UTAH.

Executive Office,

Salt Lake City,

March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of

the Secretary of the Territory, An Act Amending Section 2393 of the Compiled Laws of Utah, 1888, relating to Private Corporations.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I herewith return, without approval—An Act entitled “An Act to Restore the Control of Elections to the respective County Courts of Utah,” deeming it an ill-advised attempt to revise and alter Congressional legislation. By the Edmunds Act, Congress disqualified a certain class of persons from voting. These disqualifications can only be removed by Congress, and this Act cannot take effect unless approved by Congress. In the enabling act for the admission of Utah, which has already passed the House of Representatives and is now pending in the Senate, with promise of early consideration, Congress recognizes the changed conditions existing in the Territory and, in effect, removes the disqualifications imposed by the Edmunds Act. I do not think it wise, after favorable actions by one branch of Congress upon this important subject, to submit the present bill and thus afford an opportunity, if not an invitation for the reconsideration of what has already been done towards restoring the franchise to persons now disqualified, besides causing delay and perhaps imperil the enabling act. It could not hasten the desired consummation, and might retard Statehood. While it is desirable to place the control of elections in the hands of the people, it is certainly more desirable to remove from a large class of our citizens the disqualifications that are now not only unnecessary but unjust, and we cannot afford to jeopardize our chances of getting the greater boon in the hope of obtaining the lesser, which will swiftly follow the enabling act. Besides, we are assured that the present system will be administered

during its future brief existence by bona fide citizens of our Territory.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

TERRITORY of UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I herewith return H. B. No. 114, being “An Act to Amend Part 1, Chapter V, Section 44, of the Code of Civil Procedure, Relating to Courts,” without my approval, for the following reasons:

Under the law, as it now exists, the Justices of the Peace are elected by the various precincts of the cities respectively and in my judgment it is unwise and contrary to public policy to permit or authorize these officers to hold court or exercise their official functions outside of the districts in which they are elected. The policy of the law which divides counties and cities into prescribed districts or precincts in which Justices of the Peace shall be elected presupposes that they will exercise their judicial functions ordinarily only within these districts or precincts, and that one precinct shall not elect Justices for another precinct.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY of UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I return, herewith, An Act to provide for the Protection of Fish and Game and for the appointment of Territorial and County Commissioners, with recommenda-

tions as follows: Strike out the word "shall" in the second line of section 4, and insert in lieu thereof the word "may;" insert the word "between" at the end of line 2 of Section 13; strike out all of section 18; insert the word "knowingly" between the words "shall" and "have" in the first line of section 19; also, insert the word "wilfully" between the words "Utah" and "kill" in the second line of section 21.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received, and H. B. No. 133 with communication was referred to Committee on Fish and Game.

#### REPORTS OF COMMITTEES.

##### ENROLLMENT.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 121—An Act Relating to Killing of Stock by Railroads; also, H. B. No. 111—An Act Relating to Providing a Section of Civil Code, and Providing for Appeal; also, H. B. No. 117—An Act Relating to Jurors, Witnesses, Phonographic Reporters, Court Commissioners, etc., beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and the President of the Council, and were this day sent to the Governor for his official action thereon.

WARNER,  
Chairman of Committee.

Received.

#### COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the



Council, for further consideration, desires the return of H. B. No. 139.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 139 was returned.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed and amended the title of H. B. No. 139, A Bill to Provide Labor on the Public roads—by a vote of 10 ayes—and the same is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and Council amendment concurred in, and H. B. No. 139 sent to the Enrollment Committee.

#### REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 8, 1894.

Mr. Speaker.

Your Conference Committee on H. B. No 125—A Bill for an act Regulating the Sale, etc., of Meats beg leave to report that the Council recede from its amendment in Section 1, line 4, wherein the word "veterinarian" is struck out and the word, "person" inserted, and that the House concur in the balance of the Council's amendments to said section.

And that the Council recede from its amendment at the end of Subdivision 2, Section 3.

That the House concur in the amendment of the Council to Section 4, also, that the House concur to the amendment of the Council adding Subdivisions 2 and 3 to

Section 5, and that the House concur in the balance of the amendments made by the Council.

J. E. BOOTH,

C. N. LUND,

For the Council.

S. G. PIGMAN,

AQUILA NEBEKER.

For the House.

Received, Council amendments concurred in, and H. B. No. 125, as amended, sent to Enrollment Committee and Council notified.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,

Executive Office,

Salt Lake City,

March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I return herewith, without my approval, An Act for the Establishment, Maintenance and Enlargement of Free Public Libraries. The act authorizes and directs the Boards of Education to make an estimate of an amount necessary to support and maintain free public libraries in their respective cities, and requires the Assessor and Collector of the county in which said city is situated, to assess and collect such amount, provided it does not exceed, in any one year, one-fifth of one mill on the dollar upon all taxable property of said city.

This in my opinion, is not wise, as said Board would undoubtedly find it necessary, in order to maintain a library in a city the size of Salt Lake, to tax the full limit provided in the act, and at the present time the amount that would be thus collected and expended in the purchase of books and necessary expenses of keeping a library open could be expended to a much greater benefit in furnishing employment to its citizens, who are now more in need of bread than books.

I am, sir, very respectfully,

CALEB W. WEST,

Governor.

Received.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day postponed indefinitely H. B. No. 148—A Bill to Amend Section 4 of Chapter XXIV, Laws of Utah, 1892, and the same is herewith enclosed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 148 was laid on the table.

## REPORT OF COMMITTEE ON EDUCATION.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Education to whom was referred H. B. No. 165, amended by the Council, beg leave to report as follows: That we recommend that the House do not concur in the amendments offered by the Council.

ALLEN,  
Chairman.

Received, report adopted and Council notified.

## COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I return, herewith, An Act to Amend Chapter XXXI of the Session Laws of Utah, 1892, and Sections 2031, 2032 and 2034 of the Compiled Laws of Utah, 1888, with a recommendation that at the end of Section 1 the following words be added: "And may charge and receive

fifty cents for publishing the name and amount of taxes due from each delinquent."

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Referred to the Committee on Ways and Means.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Ways and Means, having duly considered the amendment suggested by the Governor, beg leave to report as follows:

Your Committee approve the adoption of the amendment by adding at the end of Section 1 the words, "And may charge and receive fifty cents for publishing the name and amount of taxes due from each delinquent," and that the Enrolling Clerk be instructed to insert the same in the bill.

STANFORD,  
Chairman of Committee.

Report adopted.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on Fish and Game, having duly considered H. B. No. 133, on being returned by the Governor with recommendations, beg leave to report as follows:

That we have amended the same and recommend their adoption.

McKAY,  
Chairman.

Report adopted.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day vetoed C. B. No. 114, A Bill to Tax Estates, etc., and that the Council has adopted the report of the Committee on H. R. No. 5, in relation to a site for

the Executive Mansion. And that the Council adhere to its amendments to H. B. No. 165, for Tuition in Certain Educational Institutions.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and on motion a Conference Committee of the Council was requested, and the Chair named Messrs. Allen and Powers as the House Conference Committee on H. B. No. 165.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Committee on H. B. No. 117—An Act Relating to Reporters and Witnesses, having duly considered the same, beg leave to report as follows: That lines 1 to 7, inclusive, of Section 11 of the printed bill be stricken out, and the following inserted in lieu thereof in conformity with the recommendation of the Governor, to-wit:

Sec. 11. The persons who shall hereafter be appointed by the Governor shall be Court Commissioners of the Territory for the respective Judicial Districts, so appointed until the 15th day of April, 1896, and until their successors are appointed and qualified.

TOLTON,  
POWERS,  
Committee.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day concurred in the amendment of the House in H. B. No. 117, Relating to the Payment of Jurors, etc., and has amended the amendment made by the House, by adding in line 2, Section 11 (in black ink in the engrossed copy herewith returned). after the word "Governor," "by and with the advice and consent of the Council."

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, Council amendment concurred in, and Council notified.

COMMUNICATION FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City, Utah,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I herewith return Council File No. 64, Relating to the Practice of Attorneys before the Courts of this Territory, and the Qualifications of the Judges, Justices and Commissioners of said Courts, without my approval, for the following reasons:

I am of the opinion that such a law would be unwise and inexpedient, and in some cases would be extremely unjust, and entail hardships upon persons pursuing honorable callings amounting almost to an absolute confiscation of property.

I can conceive of cases in which suitable and available men for judicial positions—men whom the appointive or elective power perhaps would delight to honor—would feel compelled to decline for the reason that to accept the office would have the effect of driving a father, brother or son from his home and the neighborhood or district where, after years of honorable conduct, he had succeeded in establishing a name and reputation and a prosperous, honorable business. This, in my judgment, would be, to say the least, unfair and unjust.

I do not think such a law is essential to the due and proper administration of justice.

Judges are ordinarily, conscientious, able, learned and sensitive. It is not likely they will undertake to decide cases in which a father, brother or son appears as attorney for either of the parties, especially without the express consent of the parties. Should, however, any judge assume to act in such a case, it is absolutely inconceivable to suppose he will persist in such action against the express objection of the parties, or either of them.

In my judgment litigants have a remedy complete in

their own hands, and legislation, therefore is wholly unnecessary. The laws of the Territory already prohibit partners of judges from practicing before them, hence there seems to be no necessity for legislation upon the subject matter of the bill.

I am sir, very respectfully,

CALEB W. WEST,

Governor.

Received.

REPORTS OF STANDING COMMITTEES.

ENROLLMENT.

Committee Room,

March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 167—An Act for An Act Making Appropriations for General Purposes, beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

S. W. PIGMAN,

Acting Chairman of Committee.

Received.

Committee Room,

March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred H. B. No. 125—An Act for An Act to Prevent the Exposure for Sale of Unwholesome or Diseased Meats, beg leave to report that the same have been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day sent to the Governor for his official action thereon.

S. G. PIGMAN,

Acting Chairman of Committee.

Received.



## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

Sir—I am directed to inform your Honorable Body that the Council has this day concurred in the amendments to H. B. No. 133, and the same as amended, has passed.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and His Excellency notified.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

Sir—I am directed to inform your Honorable Body that the Governor has this day approved and filed in the office of the Secretary of the Territory, C. B. No. 109—An Act Providing for Lessor's Lien.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day concurred in the House amendments to H. B. No. 150, as suggested by the Governor, and it is herewith returned.

Respectfully,  
P. S. SOWERS,  
Chief Clerk.

Received, and His Excellency notified.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the

Governor has approved An Act to Amend Chapter XXXI of the Session Laws, 1892, and Sections 2031, 2032 and 2034, Compiled Laws, 1888.

Respectfully,

P. S. SOWERS,

Received.

Chief Clerk.

C. B. No. 122—By Mr. Hart—Amending Section 475, s65, Compiled Laws, relating to the Fiscal Year, was read the third time.

Bill passed—18 to 2—and Council notified.

#### ROLL CALL ON PASSAGE OF C. B. NO. 122.

Ayes—Allen, Clark, Dougall, Hubbard, Ivins, Johnson, Mason, McBride, McKay, Monson, Moore, Nebeker, Pigman, Sears, Stanford, Stoker, Wines, Mr. Speaker—18.

Noes—Powers, Tolton—2.

Absent—Hatch, Parsons, Varian, Warner—4.

#### COMMUNICATIONS FROM THE GOVERNOR.

TERRITORY OF UTAH,

Executive Office,

Salt Lake City,

March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act Regulating the Practice of Medicine in the Territory of Utah.

I am, sir, very respectfully,

CALEB W. WEST,

Received.

Governor.

TERRITORY OF UTAH,

Executive Office,

Salt Lake City,

March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of

the Secretary of the Territory An Act to Provide for the Protection of Fish and Game, and for the Appointment of Territorial and County Commissioners.

I am, sir, very respectfully,

CALEB W. WEST,

Governor.

Received.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed, as amended by the House. C. B. No. 92, An Act Relative to Revenue, by a vote of 11 ayes, 1 nay, and that the same has been forwarded to the Governor for his approval.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

Council Chamber,

March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Governor has this day approved and filed in the office of the Secretary An Act in Relation to Revenue and Further Defining the Duties of County Courts and of the Territorial Board of Equalization; also, An Act Authorizing the Utah World's Fair Commission to Dispose of the Property and Exhibits Returned from the World's Fair.

Respectfully,

P. S. SOWERS,

Chief Clerk.

Received.

## COMMUNICATIONS FROM THE GOVERNOR.

## TERRITORY OF UTAH.

Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory An Act Providing for the Payment of Jurors, Witnesses and Phonographic Reporters and Creating and Defining the Duties of Court Commissioners.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

Territory of Utah,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory An Act to Prevent the Exposure for Sale of Unwholesome or Diseased Meats in Cities Having a Population of 10,000 Inhabitants, or over, within the Territory of Utah.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

## COMMUNICATIONS FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the

Council has this day acted upon the report of the Conference Committee on H. B. No. 165—Providing for Tuition in Certain Education Institutions, concurred in the report of said Committee and passed the same by a vote of 11 ayes, 1 nay, and the same is herewith returned.

Respectfully,

P. S. SOWERS,  
Chief Clerk.

Received, and H. B. No. 165 sent to the Enrollment Committee.

Committee Room,  
March 8, 1894.

Mr. Speaker:

Your Conference Committee, to whom was referred H. B. No. 165, A Bill for An Act Relating to Tuition in Certain Territorial Educational Institutions, beg leave to report that we have had the same under consideration, and recommend that the House concur in amendments in line 2, Section 1, and that the Council recede from the amendments in line 2, Section 2.

TAYLOR,  
ELDREDGE,  
Council Committee.

ALLEN,  
POWERS,  
House Committee.

Received.

H. C. R. No. 10—By Mr. Varian:

*Resolved*, By the House, the Council concurring, that His Excellency, the Governor, be notified that the Legislative Assembly having completed its business, is now ready to adjourn, and waits any communication he may have to make.

Mr. Varian moved to adopt.

Carried, and His Excellency notified.

Committee Rooms,  
March 8, 1894.

Mr. Speaker:

Your Committee on Enrollment to whom was referred

H. B. No. 165—An Act Relating to Free Tuition, etc., beg leave to report that the same has been correctly enrolled, signed by the Speaker of the House and the President of the Council, and was this day sent to the Governor for his official action thereon.

WARNER,  
Chairman.

Received.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day passed H. C. R. No. 10, by Mr. Varian—ayes, 10; and the same is herewith returned.

Respectfully,  
P. S. SOWERS  
Chief Clerk.

Received, and resolution sent to the Governor.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has this day received from His Excellency a message withholding his approval of C. B. No. 92—An Act in Relation to Revenue and Repealing Certain Laws, a copy of which is enclosed for your information

Respectfully,  
P. S. SOWERS  
Chief Clerk:

Received.

## COMMUNICATIONS FROM THE GOVERNOR.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. M. A. Breeden, President of the Council, Salt Lake City, Utah:

Sir—I herewith return, unapproved, C. B. No. 92—An Act in Relation to Revenue, and Repealing Certain Laws. The high educational standard of our Territory is the subject of mutual congratulation, and is attributable to the generous spirit of the people and the wise school laws enacted by their representatives. The splendid achievements in our educational field are only the beginning of that higher education which must come to this Territory, if the public school system receives that fostering care in the future which has been bestowed in the past. This bill strikes at the school system. It robs the School Fund, by taking a half a mill from the amount now provided for school purposes. It takes \$60,000.00 from the Territorial School Fund and places the same amount in the General Fund, presumably to meet the payment of *bounties*. In addition to this, there can be no question but what valuations upon Territorial property, for taxing purposes, will be much less during the present year than during the past year. This fact alone will greatly reduce the funds for school purposes, and even if the taxes were not reduced, would greatly cripple the schools. Why is this considered wise or proper legislation? I confess that, to me, this measure is unwise and fraught with danger and will to the educational interests in this fair commonwealth; besides, it is an effort to concentrate the taxes in the wealthy part of the Territory, and to withdraw from the rural districts much of the strength essential to their growth and advantageous to the general welfare. I feel that a grievous mistake would be made if this bill were to become a law. This bill is sectional, and would, in addition to the distress caused, provoke bitterness between the counties and the cities of wealth and population.

I insist that you do justice to our schools, and the young men and women growing to vigorous manhood and



womanhood. It may be said that this is economy, and becomes necessary because of the financial condition of the Territory. Perhaps this claim of economy is considered justifiable because of the passage of measures by the House and Council paying bounties, which, if enacted into laws would take from the pockets of the people during the ensuing two years over \$60,000, which ought to be legitimately disbursed for public purposes. Strange it is to hear the cry of economy in view of bounty bills and illegal measures, which aim to further private purposes at the cost of the public weal. While such measures as these are before me, I cannot consent to divert moneys from the public schools, and cannot agree that the Territory is unable to take care of our common schools.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I herewith return An Act for the Encouragement of Silk Production and Paying Bounties Therefor; also, An Act for the Encouragement of the Production of Sugar Beets and paying Bounties Therefor; and also, An Act to Encourage the Production of Canaigre and the Manufacture of Leather in the Territory of Utah, without my approval, for the following reasons:

No provision whatever has been made for the payment of the bounties provided for in these acts, and none can be made without increased taxation, and it appears that the measures have been passed with the expectation that they would not become law. An unwise and ill-advised effort has been made by the Legislature to economize in the expenses of the Territory, so much so that many of the Territorial institutions will suffer because of inadequate appropriations, if not be entirely suspended, and under such conditions it would seem, if it was intended by the House of Representatives or Council that these bills should be-

come law, that some provisions would have been made by which the bounties could be paid. Even if I approved of the legislation contemplated in these bills, a great wrong would be done by giving my approval, because the institutions that are so meagrely provided for would be robbed in order to meet the payments provided for in these bills, or persons who may engage in enterprises contemplated thereby would be misled and deceived because of the failure to supply the means for the payment of these bounties.

But, further, I do not believe these bills can be justified upon principle. The Supreme Court of the United States has expressly held that it is unjust and unlawful to force from the citizens at large a tax for the benefit of individuals, and that the imposition of a tax for the purpose of paying bounties is, in effect, taking private property without due process of law. I see no reason why the other industries of this Territory should be taxed for the purpose of supporting the three other industries mentioned in these bills.

Again, by act of Congress, the Territory is prohibited from enacting special laws. I deem these bills repugnant to that provision and in conflict therewith.

I am, sir, very respectfully,

CALEB W. WEST,

Governor.

Received.

TERRITORY OF UTAH,

Executive Office,

Salt Lake City,

March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City Utah:

Sir—Herewith I return, without my approval, A Memorial to the Congress of the United States Relating to the Bounty on Sugar; also, A Memorial to the Congress of the United States Relating to the Tariff on Lead; also, A Memorial to the Congress of the United States Relating to the Protective Duties on Wool.

Many reasons could be offered why these memorials ought not to be approved, but it will be unnecessary for me

to consider at length all the objections which are suggested to my mind, precluding me from approving them.

For years the people of the United States have been groaning under the burdens of excessive tariff. Not content with the high war tariff, Congress, dominated by the beneficiaries of this iniquitous system, has been made the instrument of oppression, thus increasing the burdens upon the many in order to swell the wealth of those who plunder under the authority of tariff laws.

At last the people, by an overwhelming vote, demanded that their petitions be answered and that they be relieved of these unlawful exactions; and in obedience thereto, the Wilson bill was formulated. The evils of high tariff are clearly discernible in our present environments, and present a stronger argument against the statements contained in the memorials than I could present. It would be taking a step backward if these memorials received my sanction and even endorsed as the views of the people of this Territory; and if the principles therein expressed even do prevail, it would be in contravention of the demands of a great majority of the United States and of the Territory of Utah. It cannot truly be said that the Wilson bill will operate disastrously to the industries mentioned in the memorials.

Indeed, the experience of the past and the views of the great political economists of the world, demonstrate that prosperity and permanent advancement will be inevitable fruits of a wise and judicious measure, such as the bill against which these memorials inveigh. It is a political heresy that prosperity is the handmaiden of high tariff. The McKinley bill, and all measures of a kindred nature prove the truth of this assertion.

I cannot agree with the statement contained in one of the memorials, that Congress pledged itself to a "permanent appropriation for a definite period of time." It is fundamental that the act of one Legislature is not binding upon succeeding ones. Neither do I concur in the statement that the wool industry has reached its present proportions as the result of tariff legislation; or that the material interests of the whole West demand the present retention of the present duty on lead.

Even were Congress to be influenced by the passage of these memorials, and accede to the demands therein

contained, I am not convinced that it would inure to the advantage of the industries alluded to.

Wealth and material prosperity come only when trade is untrammelled and unfettered by artificial legislation.

But a still greater objection is to be urged against the principle embodied in the memorials. This is a government of delegated and limited powers. It is a violation of the Constitution to tax the people for merely private purposes; it is unconstitutional and unjust to impose burdens upon the people other than are absolutely imperative to maintain the Government in an economical manner.

Protection, so-called, fails to protect; it despoils the many; it enriches the few. Bounties and tariffs are the crystalization of the doctrine of special privileges. These memorials ask for the enactment of vicious, discriminating legislation. They are pleas for the exercise of unauthorized power; they are a protest against wholesome, wise, intelligent, and needful legislation.

I cannot assent to them, and am compelled to return them unapproved.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I return herewith, without my approval, A Bill for An Act to Prevent Officers of Territorial Institutions from Creating Deficits in Excess of Appropriations. I am in hearty sympathy with the objects of the bill, and would be pleased to approve the same, but I am confronted with the fact that the appropriations made for our institutions are so meagre that it now seems a foregone conclusion that the institutions must either be closed, deficits created, or further appropriations be made for them. Under all these circumstances I am convinced that the present laws upon the subject are stringent enough.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed with the Secretary of Utah Territory An Act Making Appropriations for General Purposes. There are many objections which can be urged against the measure, and which have appealed to me strongly as reasons why I should withhold my approval, but I have been reluctant, faulty as the bill is, to return it unapproved. It is my purpose to invite your attention to a prominent feature of the bill, and suggest that in dealing with this matter a great injustice has been done. I refer to the matter of appropriations for the general Territorial institutions, and particularly to the University of Utah.

Our educational system is founded upon the theory that the University stands at its head and centre. It is the summit to which all avenues in our school system tend.

From its portals come the teachers who perform such important functions in the growing State.

This bill deals unfairly with this most important institution. It seems to me that forty-five thousand dollars cannot maintain it for the ensuing two years. The report of the Chancellor and Board of Regents of the University would indicate that the leading educational institution must close and go down in defeat unless this Legislature provides an additional sum for its maintenance and support. I desire to fully impress you with the danger now threatening our University. It would be an ineffable disgrace to permit its doors to be closed. What answer can be made to our sons and daughters seeking higher educational walks if we permit the keystone to fall from the crowning arch of our public school system?

I earnestly call your attention to the report above alluded to, with the hope that, even at this late hour, you will not fail in what I conceive your duty impels you to do; and that you will make further provisions for the safety and perpetuity of the University of Utah.

What I have said regarding the inadequacy of appro-



priation for this institution applies with much force to the other public institutions of the Territory. It is a serious, if not an alarming, condition confronting them, and it is with no bright hope we may look to their future with this Appropriation Bill as the rock of their safety.

I am not unmindful of the fact that it is contended that the revenue of the Territory is insufficient for public purposes; and that is assigned as a reason for reducing the needful and imperative demands of public institutions. At the same time, by the passage of several bills now before me awaiting my action, it is undertaken to squander the public money as bounties to a few individuals, without regard to the interest or welfare of the masses of our people.

It is not the part of wisdom to cripple and destroy the public institutions of our Territory. This bill, in my judgment, will fail to preserve and fully protect them.

And your attention should be further directed to the fact that, inadequate as the appropriations are in this measure, no sufficient means have been employed or provided to meet them.

The acts carrying appropriations already approved require payments to be made aggregating \$516,035.00. The bounty bills would require, to meet the payments therein contemplated, an appropriation of at least \$60,000.00.

Our total revenue for the two years, under the present rate of taxation and valuation of property, will probably not exceed \$400,000.00. If this be true, there would be, if all appropriations made by the House and Council were approved, a deficiency of \$176,035.00. How this deficit would be met I am not advised.

If I had felt inclined to approve the several bounty bills passed by you, and forwarded for my action, I am met by the insurmountable obstacle that you have furnished no moneys to pay them, and discredited and dishonored and discounted Territorial warrants would be the inevitable result.

As stated above, if the revenue for the years 1894 and 1895 is but \$400,000 (and that is a liberal estimate) there would be a deficit of \$116,035, without taking into account

the further deficit sought to be created by you by the passage of measures giving bounties totalling at least \$60,000.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY of UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I return herewith, without my approval, A Bill for An Act relating to Tuition in Certain Territorial Educational Institutions. My reason for so doing is, that the measure reached me at such a late hour, and while so many other very important bills were before me, that it has been absolutely impossible for me to consider the numerous objections which have been urged against the bill.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY of UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory, An Act to Provide for Labor Upon Public Roads in the Several Counties of Utah Territory.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.



TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I have this day approved and filed in the office of the Secretary of the Territory An Act to Provide for the Payment of Additional Contingent Expenses of the Thirty-First Legislative Assembly of the Territory of Utah.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Executive Office,  
Salt Lake City,  
March 8, 1894.

Honorable Albion B. Emery, Speaker of the House of Representatives, Salt Lake City, Utah:

Sir—I herewith return H. B. No. 147, entitled An Act to Encourage the Establishment of Certain Manufacturing Institutions Within the Territory of Utah, without my approval, for the following reasons: An Act of Congress, approved July 30, 1886, provides as follows:

Be it Enacted, etc., that the Legislatures of the Territories of the United States, now or hereafter to be organized, shall not pass local or special laws in any of the following cases, that is to say \* \* \* granting to any corporation, association or individual, any special or exclusive privilege, immunity or franchise, whatever.

This bill, it seems to me, comes squarely within the letter of this act, and is prohibited by it.

Again, I think the discrimination in favor of certain industries is unfair and unjust to the great body of the people of the Territory.

I am, sir, very respectfully,  
CALEB W. WEST,  
Governor.

Received.

TERRITORY OF UTAH,  
Auditor's Office,  
Salt Lake City,  
March 8, 1894.

Hon. Albion B. Emery, Speaker of the House of Representatives, Legislative Assembly of Utah:

Dear Sir—I have the honor to forward herewith the Financial Statements of Emery and Wayne Counties for the year ending December 31, 1893, which have this day been filed in my office.

Very respectfully,  
JOHN T. CAINE,  
Auditor of Public Accounts.

Received.

Mr. Varian presented the following:

*Whereas*, The business of the session has been concluded, and the hour for adjournment having arrived, be it

*Resolved*, By the House, the Council concurring, that the Legislative Assembly do adjourn *sine die*.

Adopted by the following roll call vote—15 to 9.

ROLL CALL ON PASSAGE OF H. C. R. NO. 11.

Ayes—Allen, Clark, Dougall, Hatch, Johnson, Mason, McBride, McKay, Parsons, Pigman, Sears, Varian, Warner, Wines, Mr. Speaker—15.

Noes—Hubbard, Ivins, Monson, Moore, Nebeker, Powers, Stanford, Stoker, Tolton—9.

COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
March 8, 1894.

Mr. Speaker:

I am directed to inform your Honorable Body that the Council has adopted H. C. R. No. 11—Relating to the Adjournment of the Legislative Assembly, *sine die*, concurring





